

## ARCHBISHOP HINSLEY

**O**N Friday, April 26, 1935, the Most Reverend Arthur Hinsley took possession of the Metropolitan See of Westminster and became the Permanent President of the Board of Bishops of England and Wales.

He returns to England at the command of His Holiness Pope Pius XI., bearing the Sacred Pallium received from the Pope's own hands.

He returns with a wealth of experience it is given to few men to gather: alike from Rome and from every corner of Catholic Africa.

May Catholic England rejoice in his wise leadership in its urgent educational and social problems!

In the name of our many readers we welcome him on his return home and promise him our prayers for health and divine guidance.

The Editors.



# THE CLERGY REVIEW

## THOMAS MORE—LORD CHANCELLOR

BY THE RIGHT HON. LORD RUSSELL OF KILLOWEN.

**T**HE person who attempts to write about Sir Thomas More as a lawyer and a Lord Chancellor, is undoubtedly faced with a difficult task. The materials available are so scanty as almost to be non-existent. We have no records of any judgments pronounced by him, laying down or discussing legal or equitable principles. We have accordingly none of the ordinary foundations upon which to build a consideration of his judicial qualities or achievements. Nevertheless, his Chancellorship presents many features of interest and merits well a moment's consideration.

But first let me sketch briefly the events in the life of this remarkable man, which led him to the Woolsack and from there, after no long interval, to the scaffold.

He was born in 1478, a son of John More, himself a son of another John More. Thomas More described himself as born of a family honest but not distinguished; which was indeed true enough. His grandfather, John More, was butler to the Honourable Society of Lincoln's Inn, one of the four Inns of Court. The records of that Society (called the Black Books) contain the following entry about him in Michaelmas Term 1470 when he was, as a reward for his services, made a member of the Society: "John More was admitted and pardoned his vacations and allowed to be at repasts, and to have a clerk in commons for 14<sup>d</sup>. a week, because as Butler and Steward which offices he had long held he had faithfully borne himself and would take no wages for the time when he filled the office of Steward." His son, John More (the father of Sir Thomas), also was butler to Lincoln's Inn, was subsequently admitted to membership, was called to the Bar, and was ultimately (about the year 1518) appointed a judge of the Common Pleas and later (about



the year 1520) appointed a judge of the King's Bench. Much credit would appear to attach to Lincoln's Inn for thus rewarding the faithful services of their butlers. The Inn was not always so fortunate in its servants, for we find an entry in the Black Books (9th February, 1519) that "Smyth the buttler for his monyfold mysde-meanours, that is to say, in delyuerying of ale owt of the buttry in baretles . . . willfull wast makyng in the buttry, negligent keypyng of the buttry boke, excessyue espences of chese and candyll, playng at cardes in the buttry and other his wilfull defaultes, shalbe discharged of his office on Saturday next at dynar w'out ferther delay."

Following the example of his father and grandfather, Thomas More, as was both natural and inevitable, joined Lincoln's Inn as a legal student. The Black Books record that happy event as taking place on the 12th February, 1496. "Thomas More was admitted Feby. 12 and pardoned four vacations at the instance of John More his father." He was then eighteen years old. In due course he was called to the bar. One of the officers of the Society was called the Pensioner, whose duty it was to collect the pension or contribution levied from each Fellow of the Society. The balance in his hands he paid to the Treasurer, and his accounts had to be duly passed. Thomas More filled this office in 1507 and duly accounted for his balance which amounted to £4 10s. 3½d. By the year 1508 he must, I think, have become a Bencher of his Inn, for the Black Books show that in 1508 every Bencher was called upon to lend the sum of 20s. for building purposes, and that in 1509 Thomas More's loan for that purpose was repaid to him. In 1511 he was allowed to be "discharged of the keypyng of the Black Boke" for ever on payment of £5, which he duly paid. In 1514, he was appointed one of the two Readers; little is known as to the duties of this office, but the holders were always men of mark in the Inn.

His standing at the Bar, like his standing in his Inn, was high. "His success as an advocate was no doubt great. One biographer declares that "there was . . . in none of the King's Courts any matter of importance in controversy wherein he was not of counsel with one of the parties, choosing the justest side, and therefore for the most part he went away victorious." This power



of selection sounds strange at the present day. Indeed, according to modern standards and methods it would be impossible: and if in those days it was possible to pick the side for which you would argue, the merit of his high percentage of success is seriously discounted.

Between the years 1510 and 1520 More had been Under-Sheriff of London, and as such had exercised certain judicial duties; and in 1521 he was knighted and sworn of the Privy Council. In 1525 he was Speaker of the House of Commons.

Up to this time Sir Thomas More stood in high favour with Henry VIII. The question of the marriage to Queen Katherine was, it is true, in the air—but only in the air. Matters had not reached a crisis. The position was this: Cardinal Wolsey had sown the seed of what was euphemistically called a “scruple” in the King’s mind. Wolsey’s eye was fixed on a marriage with a sister of the French king, but Henry’s thoughts ran on Anne Boleyn. He consulted More and sought his opinion, telling him to confer with the Bishop of Durham and the Bishop of Bath. The manner of it is recounted in a biography published in 1652, and for quaint, quiet, and tactful humour it is difficult to surpass, thus:—

So Sir Thomas More departing, compared those places of Scripture with the expositions of divers of the old holy Doctors; and at his coming next to the Court, in talking with his Majesty of the foresaid matter, he said: “To be plain, your Grace, neither my Lord of Durham, nor my Lord of Bath (though I know them both to be wise, virtuous, learned and honourable Prelates), nor myself with the rest of your Councill (being all of us your Majestie’s own servants, so much bound with your Highness for your great favours daily bestowed upon us) be, in my judgment, meet Councillors for your Grace herein; but if your Highnesse please to understand the very truth, you may have such Councillors devised, as neither for respect of their own worldly profit, nor for fear of your princely authority, will be inclined to deceive you”; and then named S. Hierome. S. Austine, and divers other holy Doctors, both Greeks and Latines, and also showed what authority he had gathered out of them.

The authority which he had gathered most certainly did not fit in with the King’s desires, but on the whole Henry took this discourse in good part and, in the



words of the biographer, "often afterwards had thereof conference with him again."

It was in 1525 that the event occurred of Henry coming uninvited to dine with More in the house at Chelsea, and walking with his arm round More's neck in the garden afterwards. A wonderful sign of favour which earned congratulation from his son-in-law, Roper. But note the shrewd diagnosis of Henry's character in More's reply, Henry being then at war with France: "I find his Grace my very good lord indeed, and I believe he doth as singularly favour me as any subject within this realm. Howbeit, son Roper, I may tell thee I have no cause to be proud thereof, for if my head would win him a castle in France it should not fail to go."

The affair of the marriage dragged on, but with no success. Wolsey was unable to obtain the annulment of Henry's marriage with Katherine. That was the failure which brought about his downfall; and on the 19th October, 1529, he was deprived of the great Seal. For about a week speculation was rife as to who would succeed him in an office which at that time was, as an almost general rule, held by a cleric. Ultimately Henry's choice fell upon More, although his attitude towards the marriage question had in no wise changed. He received the great Seal on the 25th October, 1529. Here was an appointment full of interest and full of possibilities. It was a new departure, this selection for the highest office in the land of one who was a lawyer and neither prelate nor nobleman. Nowadays the thought of the Woolsack being occupied by anyone not a lawyer is unthinkable. Not so then. As the Duke of Norfolk said in his introductory oration: "It may perhaps seem to many a strange and an unusual matter that this dignity should be bestowed upon a layman, none of the nobility, and one that hath wife and children, because heretofore none but singular learned Prelates or men of greatest Nobility have possessed the place." But the appointment was well received; an ambassador wrote: "Everyone is delighted at his promotion because he is an upright and learned man and a good servant of the Queen." It proved to be a conspicuous success, not only by reason of More's learning as a lawyer, but also on the ground of his



admirable virtues and his matchless gifts of wit and wisdom.

More made a most eloquent reply to the Duke of Norfolk's introduction; but he was under no illusions as to the perils which surrounded his office. The scene was Westminster Hall. He described his feelings at succeeding Wolsey, "to whom I may seem as a lighting of a candle when the sun is down." He had as he said: "cause enough by my predecessor's example to think honour but slippery. . . . Wherefore I ascend this seat as a place full of labour and danger." And in that his anticipations were justified; for he laboured much, nor was danger found to be wanting.

In those days Lord Chancellors played many parts in addition to discharging judicial functions. Often were they really the equivalent of to-day's Prime Ministers, in that they were responsible for the shaping and development of political policy. It is rather in regard to the non-judicial aspect of More's Chancellorship that some records are available, and material for forming a critical judgment is at hand. In regard to the judicial aspect the cupboard is practically empty. The records have perished. There is no authentic record known of any case tried before him. No legal work contains any reference to any judgment, reasoned or otherwise, delivered by him. Scraps of gossip and anecdotes survive, such as that which tells of his Solomon-like decision as to the ownership of a dog which had been presented to his wife. A poor woman claimed it as hers, and More awarded it to her as the result of the dog obeying the poor woman's summons, rather than that of Lady More. These, however, are flimsy materials upon which to judge the character and capacity of a Lord Chancellor.

There can, however, be no doubt of the merit of his conduct and demeanour in the office, when compared with those of Wolsey. It was a corrupt age, and in many respects an indolent age; but no such vices as corruption or indolence could exist within the sphere of More's influence. The change in the administration of justice under the new régime was at once striking and apparent. Too often had gold been the passport by which access to the Chancellor was obtainable. With More, poverty was the readier passport; with him the



poorer the suppliant, the more easily did he obtain audience. In the quaint and dubious language of one of his early biographers—"the meaner the suppliant was . . . the more attentively he would hearken unto his cause, and with speedy trial dispatch him." His custom was to hear and adjudicate upon cases in the morning, and in the afternoon to place himself at the disposal of petitioners for the purpose of examining their cases, and giving redress when possible.

In Wolsey's day writs had been issued without any examination as to whether any probable cause of action existed. This had led to much vexatious litigation, and heavy arrears of causes for adjudication. More changed all this, by requiring that before a suit could be commenced a bill should be filed, signed by an attorney and setting out the relevant facts upon which the claim to relief was based. The Lord Chancellor would then peruse the bill, and if he thought the case was *prima facie* a proper case for investigation, he would grant his fiat for the commencement of the suit. By this means an end was put to the involving of innocent citizens in vexatious litigation. The accumulated arrears of causes unheard were cleared away by an unremitting attention on More's part to the discharge of his judicial duties, with the wonderful result that the lists at one time actually ran dry. In these days of Commissions, appointed at short intervals, to enquire into and report upon the delays attending litigation in the King's Bench Division and the best means of avoiding them, More's exhibition of expedition and assiduity is to be recalled, with an envious regret that his spirit is not more frequently to be met with to-day.

Those were the days when Equity was beginning its insistence on softening the rigours of the Common Law; and it was frequently necessary for the Lord Chancellor to grant injunctions to this end. More was firmly of opinion that law and equity might be beneficially administered in the same tribunal, anticipating in this respect the Judicature Act, 1873, by nearly three hundred and fifty years. He endeavoured accordingly to induce the Common Law Judges to relax the rigour of their administration of the Common Law. Failing success in this he had perforce to grant injunctions in aid of equitable rights. The judges, or some of them,



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poorer the suppliant, the more easily did he obtain audience. In the quaint and dubious language of one of his early biographers—"the meaner the suppliant was . . . the more attentively he would hearken unto his cause, and with speedy trial dispatch him." His custom was to hear and adjudicate upon cases in the morning, and in the afternoon to place himself at the disposal of petitioners for the purpose of examining their cases, and giving redress when possible.

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complained of his conduct in this regard; but More, summoning them to dine with him, convinced them of the propriety of his proceedings.

From the point of view of the lawyer it is difficult to say that More was a great Lord Chancellor, in the sense in which that could be said of some of his more modern successors: for, as already pointed out, owing no doubt to dearth of records, his name is associated with no leading judgment or display of legal reasoning. This much, however, may be said, that if to discharge judicial duties conscientiously, speedily and without favour, to make the machinery of justice work smoothly and efficiently, and to soften the rigours of the law so as to give effect to equitable right in particular cases, are marks of a great Lord Chancellor, then Thomas More must be so described.

His character was a wonderful blend of integrity and shrewdness, of innocence and wisdom. He assured one son-in-law of his impartiality as a judge by saying: "If the parties will at my hands call for justice then were it my father, whom I love dearly, on one side and the devil, whom I hate extremely, stood on the other, his cause being good, the devil should have right." Another son-in-law did actually appear as a suitor in Chancery before him, and had what one biographer calls "a flat decree" made against him. The word "flat" is ominous, and indicates, it is hoped, that the unsuccessful son-in-law had to pay the costs.

Throughout his Chancellorship the stumbling block of the marriage remained. Thomas Cromwell had gradually secured the King's confidence, and was urging open and immediate rupture with Rome. The King was prepared to take the plunge, but only in the last resort if Pope Clement would not yield. For More the situation was perplexing and embarrassing; and when it became clear that although Rome would not annul the marriage with Katherine, Henry would none the less marry Anne Boleyn, he asked and obtained permission to resign the great Seal. He ceased to be Lord Chancellor on the 10th May, 1532.

It was said of him, and truly, that he had "behaved himself in his office of Chancellorship for the space of two years and a half so wisely that none could mend



his doings, and so uprightly that none could take exception against him or his just proceedings."

Later on charges were brought against him of having accepted bribes from litigants. These were as baseless as they were spiteful, being, as it would seem, mere attempts to wreak vengeance on him for his unwavering attitude on the marriage question. Three charges were preferred against him, and he was summoned to answer them before the Privy Council.

In one the complaint was made by an unsuccessful defendant that More had made a decree against him for which the plaintiff's wife (her husband being laid up with the gout) presented the Chancellor with a gilt cup. The account of the proceedings before the Privy Council is not without humour. Sir Thomas admitted having received the cup as a New Year's gift, long after the decree, because he could not, without discourtesy, refuse the lady's importunate pressure. But let the account tell its own tale:—

Then the Lord of Wiltshire (Queen Anne's father and preferrer of this suite, who hated Sir Thomas because he had not consented to his daughter's marriage) with much joy said. . . . "Lo, my Lords, did not I tell you that you should find the matter true?" Whereupon Sir Thomas desired their honours that as they had courteously heard him tell the one part of his tale, so they would vouchsafe of their honours indifferently to hear the other; which, being granted, he further declared, that although he had indeed with much urging received that Cup, yet immediately he caused his butler to fill it with wine, and therein drank to her; and when she had pledged him, then as freely as her husband had given it to him, even so freely gave he the same unto her again to give unto her husband for his New Year's gift: which at his instant request, though much against her will, yet at length she was fain to receive, as herself and certain others before them there presently deposed. Thus was the great mountain converted (scarse) to a little molehill.

The second charge was that a Mistress Croaker, a successful plaintiff before him, had presented him at the New Year with a pair of gloves inside which had been placed some forty pounds in golden angels. More had rebuked her gently by saying to her: "Mistress, since it were against good manners to forsake a gentlewoman's New Year's gift, I am content to take your gloves, but as for the lining I utterly refuse it."



The third case was that of a litigant, one Gresham, who, during the pendency of his cause, sent the Lord Chancellor a gold cup for a New Year's gift. The style of the cup pleased More's taste; he kept it, but sent in exchange a cup said to be of greater value. However injudicious this conduct may have been, and it would seem to have been unwise, there is no question of dishonour or corruption. More's integrity emerged unscathed from these charges. Indeed, they appear as trumpery as they were ill-founded; their very insignificance seems to indicate the blindness of the spite which prompted them.

With his resignation of the great Seal, More's career as a lawyer ended. He retired into private life, shrinking from publicity. Publicity, however, claimed him for its own. Anne, having been secretly married to the King in January, 1533, was crowned Queen in the following June. More was bidden to the coronation. He refused to attend. From that time onwards he was a target for numerous attacks and charges, which culminated in his conviction for alleged treason on the false evidence of Rich, the Solicitor-General. There was, in reality, no other evidence against him than the word of Rich whose subsequent career showed, if any showing were needed, how little that word was reliable. More knew his man. "In good faith, Mr. Rich, I am sorrier for your perjury than for mine own peril; and you shall understand that neither I, nor no man else to my knowledge, ever took you to be a man of such credit as, in any matter of importance, I or any other would at any time vouchsafe to communicate with you." And again: "If I were a man, my lords, that did not regard an oath, I needed not as is well known, stand in this place at this time, nor in this case as an accused person. And if this oath of yours, Mr. Rich, be true, then I pray that I never see God in the face; which I would not say, were it otherwise, to win the whole world."

When the verdict of guilty was returned, Audley, More's successor on the Woolsack, was about to pass sentence when he was reminded by More, with a quiet dignity, of his right to say what he might, why judgment should not be given against him. His right was conceded, and he could and did speak his mind freely concerning the headship of the universal Catholic



Church, and the evil of religious nationalism. "I am not bound, my Lord, to confirm my conscience to the Counsel of one realm, against the general Counsel of Christendom."

He was convicted on the 1st July, 1535, and was executed five days later, having survived the Chancellorship little more than three years. On the 5th July, 1535 (before he knew the date of his execution), he wrote to his daughter, Margaret Roper, one of the most beautiful notes ever penned. It deserves a place in any collection of notable letters. An extract will suffice to reveal the sweet nature and the contented resignation of the writer. He is wondering when his end will come: "I would be sorry if it should be any longer than to-morrow; for it is the St. Thomas Eve, and the octave of St. Peter; therefore to-morrow long I to go to God; it were a day very meet and convenient for me. I never liked your manner toward me better than when you kissed me laste: for I love when daughterly love and dear charity hath no leisure to look to worldly courtesy. Farewell, my dear child, and pray for me, and I shall for you and all your friends that we may merrily meet in Heaven."

Early the next day he met his doom on the scaffold, asking those present for their prayers, and declaring, as was indeed the fact, that he was dying "in and for the Faith of the Holy Catholic Church."

At any time, and in any period of history, Thomas More would have stood out as a model of learning, wisdom, courtesy and saintliness—a combination rarely if ever met with before or since. In the times in which he lived he shines forth with a radiance which blinds the eyes and dazzles the imagination. May he intercede for us all in Heaven.



## BLESSED THOMAS MORE AS THE PATRON OF LAYMEN

BY THE REV. DAVID MATHEW, M.A., Litt.D., F.S.A.

**A** *RÉSUMÉ* of the main external facts of Blessed Thomas More's life will clear the ground for a study of the characteristics of his sanctity. Until he reached the last few months before his death he was, perhaps, chiefly known as a highly cultivated lawyer of marked talent in his profession, who had risen rather rapidly through the stages of an uniformly successful career. By birth a Londoner and the son of a judge of the King's Bench, he had contacts with civic life and politics both aiding him in his advance. He had been Under-Sheriff of London and on the political side Chancellor of the Duchy of Lancaster; Speaker of the House of Commons; a Privy Councillor. At forty he had become Master of Requests, and for two and a half years Lord Chancellor of England. Academic honours came to him: he was High Steward of Cambridge University. In comfortable circumstances during his early life, he lived for a long period at Bucklersbury and after 1523 at a large new house in Chelsea. In his middle age his income was very considerable, but his capital limited; he was not of a saving disposition and tended to be carefree about money. He had been married twice, on both occasions to ladies of his own circle with but small means. By his first marriage, which appears to have been adequately happy, he had one son and three daughters; his second marriage was childless and less fortunate. Lady More was a widow, six years his senior and of a tart and economical disposition.<sup>1</sup> His natural affections seem to have been concentrated upon his children.

An intercourse with the Court had developed normally, and for a period he enjoyed the favour of the king's friendship. These and other political benefits he was able to assess at a sound valuation. His outlook on the

<sup>1</sup> *In the Life of Sir Thomas More* by Cresacre More it is stated that "she [Lady More] was of good yeares, of no good fauour nor complexion, nor verie riche; by disposition verie neare and worldlie," ed. 1726, p. 32.



courtiers was detached; his relations with the judges and members of the Bar cordial, and he had a good reputation in the City. Himself a gentleman of coat armour he accepted with simplicity the privileges which this fact conveyed. A native integrity had made him certain enemies and he had a clear sense of the doubtful security of his position. A great and widely-cast learning gave him a prestige such as mere erudition would not carry in a later age. He had friends in the learned circles throughout Europe and retained these through his life, generous, hospitable and eager to defend them. At the same time he was known to be easy of approach, with a humour which was at its quickest in his own language. In spite of his European interests he was essentially English in the background of his ideas. He had not travelled beyond Northern France and the Low Countries, and his tastes in food were insular; small ale, coarse well-leavened bread and salt meats. A great curiosity of the mind was rightly attributed to him and an intense interest in men, their actions and motives; a compendious encyclopædic outlook. His recreations included the study of philosophy, the arts and music. He and his family were fond of dogs. At the same time he was attracted by all strange animals and at Chelsea had formed an aviary.

Until his last years, when controversial writing seemed to him a duty, he passed as a definitely but not obtrusively religious man, rather critical of the condition of the clergy and quick in statement. His independence of mind was always notable; his sympathies very generous; his certitudes reserved for the Catholic doctrines. He was of moderate height and build, with dark brown hair and grey eyes lit by controlled humour; so much for the external details of the first layman Lord Chancellor.

Fortunately there are sources beyond the evidence of his contemporaries to give us a more complete knowledge of Sir Thomas More. Into his writings, and especially in the extensive and diffuse works of his last years, he put so much of himself eagerly determined to protect the truth. For these books were called forth by his sense of the need of defending the central doctrines of Christendom against attack, and he was addressing the entire reading public, relatively wide, wholly English



and not learned. In this period of tension the underlying persistent gaiety of his nature and the breadth of his interests found full scope reflecting his enjoyment of the rooted common facts of everyday experience, now threatened. "If I durst be bold to tell so sad a man a merry tale," Sir Thomas wrote,<sup>2</sup> in dealing with a controversialist, "I would tell him of the friar that, as he was preaching in the country, spied a poor wife of the parish whispering with her pew-fellow." And this same perception of and pleasure in a truthful description of the life around him is seen again in his account of the annual procession of the Blessed Sacrament, "the prestes and clerkes relygyouse and other goynge with baners copes, crosses and sencers and the Sacrament borne about with them upon a corpus chrysty daye."<sup>3</sup>

The transition from a passage on religious things to one relating to that neighbourly hospitality which so appealed to him was soon made. That open humour of the table, so characteristic an ingredient of English life, was seldom far away. "For in theyre onely raylynge," he wrote, again<sup>4</sup> in reference to the controversialists, "standeth all theyr reuell, wyth onely raylynge is all theyr roste mete basted, and all ther pot seasoned, and all theyr pye mete spiced." How very clearly the details of Sir Thomas's life and outlook pierce through these phrases; the background of his day appears, the quick honesty and friendliness.

A sense of God is discernible in his fulfilment of each ordinary duty, a deep appreciation of the original in human nature and a robust independence. His charity was practical and he relieved those nearest at hand. There is little doubt that the Society of Saint Vincent de Paul with its common sense and self-sacrifice would have appealed to him greatly. According to his biographer Stapleton,<sup>5</sup> he was accustomed to go through the back lanes and enquire after the state of poor families and he would relieve their distress.

<sup>2</sup> *The Debellation of Salem and Byzance*, Collected Works, p. 948.

<sup>3</sup> *An Apologie of Syr Thomas More*, ed. 1921, Early English Texts Society, p. 56.

<sup>4</sup> *The Apologie of Syr Thomas More*, p. 50.

<sup>5</sup> Thomas Stapleton: *Tres Thomae*, pt. III, cap. 6, ed. Mgr. P. E. Hallett, p. 148.



In his own family life there was the same balance. A certain astringent quality is overlooked in this relation which, in the nineteenth century, has suffered from being sentimentalized. He was affectionate in an age of rather glacial relationships; he was considerate and equable; he was never yielding. Delightful with his small daughters, "bringing back cakes or fruit or pieces of silk to deck them,"<sup>6</sup> he had the quickest perceptions in regard to character and a profound determination. There was about him nothing soft, and both the south wind and the east wind were in his humour; for this had sometimes a cutting edge. In *The Dialogue concerning Tyndale* and in *The Four Last Things*, a devotional treatise written in his middle age, Sir Thomas's humour is sometimes grim,<sup>7</sup> but it was much more frequently playful and refreshing. "We may not looke," he told his children,<sup>8</sup> "at our pleasures to goe to heauen in Featherbeddes." Determined in his struggle against evil and with the memory of the Cross always before him Sir Thomas yet retained a delightful lightness of touch as is apparent in the records of his familiar conversation. "Whosoever will marke," he once said,<sup>9</sup> "the devill and his temptations shall find him therein much like as an ape, not well looked unto will be busie and bolde to doe shrewde turnes."

Again and again there is manifested his strong confidence in God's protection and his gratitude for and enjoyment of the goodness of created things. With this was combined a detachment from his possessions, considered in the widest sense, enjoying them but not adhering to them; a realization of transience. The insecurity of his position arising from a lack of capital compelled him either to be submerged under material circumstance or to rise above it. In his last years, after his resignation of the Chancellorship, he came again upon poverty and his attitude is illumined for us in one

<sup>6</sup> *Ibid.*, p. 135.

<sup>7</sup> As in the passage describing the honourable funeral with "so many merry mourners laughing under black hoods" and some rather tense physical detail, "The Four Last Things," *English Works*, I, p. 470 and *passim*.

<sup>8</sup> Nicholas Harpsfield: *Life of More*, ed. E. V. Hitchcock, Early English Texts Society, 1932, p. 76.

<sup>9</sup> *Ibid.*, p. 77.



of his discourses to his children. "Then may we yet," he told them,<sup>10</sup> "like poore schollers of Oxforde,"<sup>11</sup> goe a begging with our bagges and wallettes and sing *Salve Regina* at riche mens doers where for pitie some good-folkes will geve us their mercifull charitie and so still keepe company and goe forth and be merie together." A background of prayer fortified this gaiety and over the whole scene of Sir Thomas with his family there is the impression of a happiness too complete to be permanent.

The same robustness and strong common sense spiritualized is seen in his attitude towards the clergy. He had a lasting respect for the office<sup>12</sup> of the priesthood and he kept his own counsel about the man. At the same time he had a cheerful outlook on the idiosyncracies of individuals and a horror of real scandal. In speaking of the attempted marriage of friars his language was vigorous and just. He had the inevitable impatience with idle and contentious clergy<sup>13</sup> who were outside the effective control of their religious superiors and with the "rabble"<sup>14</sup> of unbeneficed chaplains. Behind his amusement at the disputatious monk "who had rolled himself up in his spikes like a hedgehog"<sup>15</sup> there lay a belief that every man must work. His sympathies with the parochial clergy were strong and his relations with his parish priest admirable. One quotation from among his views on these subjects is most expressive. "So dare I boldly say that the spirituality of England, and especially that part in which ye find most fault," he declares against their detractors, "that is to wit that part which we commonly call the secular clergy, is in learning and honest living well able to match and (saving the comparisons be odious I would say further) far able to overmatch number for number the spirituality

<sup>10</sup> *Ibid.*, p. 144.

<sup>11</sup> "After his debts he had not I know (his chain excepted) in gold and silver left him the worth of one hundred pounds," Roper: *Life of Sir Thomas More*, p. 38.

<sup>12</sup> "And where the dignity passes all princes," "Dialogue concerning Tyndale," *English Works*, II, p. 220.

<sup>13</sup> This is discussed by Fr. Bridgett in his *Life and Writings of Blessed Thomas More*, ed. 1913, pp. 87-100.

<sup>14</sup> "Dialogue concerning Tyndale," *English Works*, II, p. 220.

<sup>15</sup> *Epistola ad Dorpium*: cf. Rev. T. E. Bridgett, C.S.S.R., *op. cit.*, p. 91.



of any nation Christian."

Sir Thomas took an interest in his parish church and sang in the choir; he was an enemy to all privilege in religious matters. "He used being Chancellor," so a passage runs in his biography,<sup>16</sup> "to sit and sing in the choir with a surplice on his back. And when the Duke of Norfolk coming at a tyme to Chelsey to dyne with him fortun'd to finde him in his attire and trade going homeward after servyce, arme in arme with him, saide after this fashion: 'God body, God body, my lorde Chancellour, a parishe clarke, a parishe clarke. You dishonour the King and his office.''" A strange significant encounter: behind Sir Thomas was the tradition of a corporately Catholic England and beyond the Duke were to stretch the centuries of patronage.

At the same time Sir Thomas's detachment from the strife of temporary politicians reflected another aspect of his integrity. His dislike for the meretricious was as strong as his attraction for straightforward action. It is not surprising, therefore, that he kept remote from Cardinal Wolsey, his predecessor on the woosack. His simplicity was repelled by the prelate's crudely conceived ambition; nor did he sympathize with his gaudy wreck. "It shall not in my mind be amiss," he said lightly,<sup>17</sup> in reference to one of the minister's projected visits to the Commons, "with all his pompe to receave him, with his maces, his pillers, his polleaxes, his Crosses, his hatt and the great Seale too." An understanding of the sharp self-interest of Wolsey's mind only tended to strengthen Sir Thomas's passion for justice.

He was without prejudice, perfectly fearless and unaffected by the worldly status or intellectual prestige of those whom he found opposed to him. He even preserved his independence and detachment in face of the King,<sup>18</sup> an act of sustained courage whose quality the rise of modern dictatorships enables us to appreciate. A knowledge of real values enabled him to go forward

<sup>16</sup> Harpsfield: *Life of More*, p. 64.

<sup>17</sup> Harpsfield: *Life of More*, p. 31. Cf. Roper: *Life of Sir Thomas More*, p. 127.

<sup>18</sup> When Cromwell visited More in 1532 Sir Thomas said in reference to the King "if (a) Lion knewe his owne strength, harde were it for any man to rule him," Roper: *Life of Sir Thomas More*, ed. E. V. Hitchcock, E.E.T.S., 1935.



on an even keel. As a lawyer he had a deep respect for the Canon Law and a desire for its observance, while he always recognized the strength and balance of the Church's constitution. His reputation as a great Lord Chancellor and the memory of his rapid dispatch of business and his even justice survived in London for generations. No man was more remote from the type of the ecclesiastical layman at whom he made cheerful mockery.<sup>19</sup> Side by side with this quality went a detestation of prudery and a generous mind. On one occasion he praised Saint Francis in his writings for his unwillingness to see imaginary evil. "He had, quod I,"<sup>20</sup> wrote Sir Thomas, "a good mind and did like a good man that deemed all things to the best."

In regard to his own spirituality Sir Thomas's practice of prayer was constant, and this may have dated in its complete form from the four years that he spent living in the London Charterhouse as a young layman. He practised external mortifications, used the hair shirt and the discipline and fasted. An overmastering sense of God and of the pettiness of disputes in the light of eternity was present to him. Thus he wrote<sup>21</sup> of men quarrelling "as children should fall at variance for cherry stones" with death as "a ramping lion coming on them both ready to devour them." It is said that Sir Thomas was much influenced by the story of Pico della Mirandola, whose life he translated. One passage in this translation throws light on the source of his attraction. "How much," it was said of Pico,<sup>22</sup> "he set more by Devotion than Cunning (learning). The little affection of an old man or an old woman to godward (were it never so small) he set more by than by all his knowledge, as well of natural things and godly." Here is the essential Godward-moving effort of Sir Thomas's own inspiration.<sup>23</sup> This was the solid permanent out-

<sup>19</sup> "Or a pedlar, Waxe a medlar, in theology," *English Works*, I, p. 327.

<sup>20</sup> "Dialogue concerning Tyndale," p. 208.

<sup>21</sup> "The Four Last Things," *English Works*, I, p. 486.

<sup>22</sup> "Life of John Picus, Earl of Mirandula," *ibid.*, I, p. 357.

<sup>23</sup> The references in this translation to Pico's independence of public opinion, his loyalty in friendship, moderation in regard to religious ceremonies, his spirit of faith and practice of penance are significant, cf. "Life of John Picus, Earl of Mirandula," *passim*.



look with the *jeu d'esprit* of the *Utopia* behind him. In any modern study, however brief, it is necessary to make some reference to this work which was not available in English in Sir Thomas's lifetime. It was, in fact, an interesting and fruitful exercise giving the widest scope to his imagination and inventiveness. Few of those who have fastened on the details of this book have a very serious conception of Sir Thomas's universe. The card castles of his fantasy lie exposed, in a geographically rudimentary commonwealth, to the most remote types of intellectual vulture *toute entière à sa proie attachée*. The penalties of humour are diverse.

It was only in accordance with the whole tenor of his life that Sir Thomas should have left in his writings affirmations of adherence to the Catholic Faith for which he died. "Then can no sect in Boheme," he wrote of the new divisions,<sup>24</sup> "be the right church. For that church which we call the church, that believeth as we believe was there before them all."

Sir Thomas had, perhaps, something of the Tudor Englishman's lack of respect and indifference to exact knowledge in regard to foreign parts. The world of international scholarship was one thing and the mere political details of German sovereignties quite another. The pleasant memories which he retained when he imagined himself a young man again "set at a vacation mote . . . in some Inn of Chancery"<sup>25</sup> appear in contrast to his rather casual references to "those folk (who) sit in Almayne upon their beer bench in judgment on us."<sup>26</sup> For him Christendom was the great reality and his attitude to heresy was determined by the danger of disaster to the moral structure of the Christian world. He had lectured on Saint Augustine and studied Aquinas. The litany in which he sets the Fathers against the Reformers gives a clear expression to his standpoint. "If they will therefore call us," he wrote of the new preachers,<sup>27</sup> "to some other reckoning, and will that

<sup>24</sup> "Dialogue concerning Tyndale," *English Works*, II, p. 77.

<sup>25</sup> *The Debellation of Salem and Byzance*. For notes on this passage cf. *The Apology*, introduction by Professor A. I. Taft, p. xlv.

<sup>26</sup> *Supplication*, in the 1557 edition of More's Works, 330-1.

<sup>27</sup> *Ibid.*, discussed in Professor A. I. Taft's introduction, p. lv.



we . . . match them man for man, then have (if we might for shame match such blessed saints with a sort so far unlike) Saint Austin against Friar Luther, Saint Jerome against Friar Lambert, Saint Ambrose against Friar Heussgen, Saint Gregory against Friar Pomerane, Saint Chrysostome against Tyndale, Saint Basil against the Beggars' Proctor."

And again he would embark on a defence of the specific doctrines. "For they say," he maintained against his adversaries,<sup>28</sup> "that thys viii hundred yere the corps of crystendome hath ben led oute of the right waye from God, and haue lyued al in idolatry, and dyed in seruyce of the deuyll, because they haue done honour to Cristes crosse, and prayed unto sayntes, and reverenced theyre relyques and honored theyr ymages, and ben baptised in latyne, and taken matrimony for a sacramente, and used confessyon, and done penaunce for synnys, and prayed for all crysten soules, and ben aneyled in theyr deth bedde, and haue taken thyre housell after the ryte and usage of the chyrche, and haue set more by the masse than they sholde do, and byleved that it was a sacryfyce, an hoste, and an oblacyon, and that yt sholde do them good, and have byleued that there was neither brede nor wyne in the blessed sacrament of the aulter, but in stede of brede and wyne the very bodye and blood of Cryste."

Such an account throws so clear a light on the determination and breadth of his defence. "This one thyng re-comforted me," he declared on another occasion,<sup>29</sup> "that syth I was of one poynte very faste and sure that such thynges as I wryte are consonaunt unto the comen catholyque fayth and determynacyons of Christes catholyque chyrche." And he was aided throughout by the example of the Bishop of Rochester in his defence of Christ's Vicar. In all questions his force of character and acute strong intelligence acted on the materials submitted to his judgment. He shaped his course according to his permanent beliefs; he maintained his convictions calmly and frankly; he worshipped God wholeheartedly and with liberty of spirit and for this freedom to follow Catholic Truth he gave his life.

<sup>28</sup> *The Apologie of Syr Thomas More*, p. 47.

<sup>29</sup> *Ibid.*, p. 2.



## B. JOHN FISHER AND CAMBRIDGE

By H. O. EVENNETT, M.A.

“OXFORD and Cambridge” is a modern, and could not have been a mediæval phrase. The parity of Cambridge with Oxford in intellectual prestige and national importance dates only from the sixteenth century, and though it would be an exaggeration to say that Cambridge made the Reformation in England, there is some truth in the statement that the Reformation “made” Cambridge. None the less, before the names of Tyndale, Latimer or Ridley, of Cranmer or Gardiner, Parker, Whitgift or Cartwright, had established the Protestant fame of Cambridge, the smaller University on the edge of the fens had, in the twilight of Catholic England, enjoyed a short Indian summer which had raised it more nearly to the status of the older University than it had ever attained before, and had prepared the way for its future Protestant greatness. It is with this period of Cambridge history that Blessed John Fisher was associated.

The period was inevitably one of transition. The great changes that were coming over England in the Yorkist and early Tudor period could not leave the Universities untouched. As well in their internal constitution and economy as in their relation to outside forces, Oxford and Cambridge were beginning to undergo developments which were destined ultimately to leave them very different from what they had found them. Economic changes were modifying the conditions of endowment; the Church's influence over learning and academic things was yielding to that of the Crown, of the State; the newer outlook on education and knowledge, represented by Humanism and the study of Greek and Hebrew, was beginning to challenge the older-established scholastic methods and ideas; inside Oxford and Cambridge the functions and importance of the Colleges as against the University were beginning slowly to expand. The reign of Henry VII, on the surface so poor in incident, was perhaps almost as decisive in University



history as it was in the social and political development of England as a whole.

The University to which John Fisher came up in 1483, as a boy of fourteen from Beverley Grammar School,<sup>1</sup> if it had no particularly glorious achievements or traditions to its credit, was not, however, completely obscure or lacking in vitality. If Cambridge had nothing to compare with the Oxford school of Philosophy, with its European reputation and influence and its great names, neither had she incurred much taint of Wiclifism and Lollardy; and she had gained a reputation for orthodoxy to which Lydgate bears witness and to which Rashdall ascribed the fifteenth-century increase in her numbers.<sup>2</sup> From 1439 onwards when the first licence for the foundation of Godshouse was issued, the succession of college foundations, interrupted since that of Corpus Christi in 1352, again went forward: in 1441 King's, in 1448 Queens', in 1473 St. Catherine's. Later on came Jesus College in 1497 and then the foundations associated with Fisher, Christ's and St. John's. As yet, however, the Colleges were not teaching bodies. They were essentially charitable and moral institutions for poorer men who could not afford to live in lodgings or in the hostels. They did not take in pensioners in addition to their scholars, and membership of one of them was not a necessary condition of attending the University. The non-collegiate student is the more primitive form of undergraduate, and the development of Colleges is not, at this period, a complete index to the state of the University in general. Nor can such events as the foundation of the University Library in 1444 or the rebuilding of Great St. Mary's in 1479, be safely taken as signs of intellectual progress. Oxford was still the more sensitive, and the more speedy, intellectual reflector.

<sup>1</sup> That the date of Fisher's birth was 1469 is now proved by the evidence of his ordination dispensation: see A. H. Lloyd, *Early History of Christ's College* (1934), 391-2. For his life in general I have used Hall's sixteenth century life, edited Van Ortoy, S.J., Brussels, 1893 (reprinted from *Analecta Bollandiana*, tt. X and XII); Lewis's *Life*, two volumes, 1855; and Bridgett, *Blessed John Fisher*, 1888. There is an admirable study by David Mathew in *The English Way*, Sheed & Ward, 1933. Kerker, *Fisher von Rochester*, 1876, is interesting though somewhat out of date; Miss N. M. Wilby's *Story of Blessed John Fisher*, 1929, is a pleasant and infomative "œuvre de vulgarisation."

<sup>2</sup> *Universities of Europe in the Middle Ages*, II, 2, 552-3.



The significance of printing, the development of libraries (stimulated by the bequests of Humphrey, Duke of Gloucester), interest in and contact with the Renaissance thought of Italy, were all things earlier realized and earlier cultivated at Oxford than at Cambridge. In a well-known passage from his Oration to Henry VII, delivered in 1506, Fisher painted in depressing colours the intellectual condition of Cambridge in the years of his earliest acquaintance with it. If in the intervening twenty-three years the position had changed, if Cambridge, in the opinion of many well-qualified judges, was taking the intellectual and literary lead from Oxford, this was due in very considerable measure to Fisher himself.<sup>3</sup>

The tradition that Fisher was originally a student of Godshouse, afterwards reconstituted as Christ's College, can be given no credence. His first college was Michaelhouse, of which he became a Fellow and, in 1497, Master. He quickly rose to prominence in the University. The worth of his character and the extent of his learning both won speedy recognition. He took his B.A. in 1488, his M.A. in 1491 and in 1501 was created D.D. In 1494-5 he was Senior Proctor, then an office of much wider function and import than it bears to-day, and he was Vice-Chancellor in 1501. In 1504 he was elected Chancellor. In these high offices Fisher had ample opportunity to know the state of the University and to judge its shortcomings and requirements. Soundness of practical judgment, zeal in activity tempered by caution and prudence, were his strongest qualities, and were illuminated rather than—as can sometimes be the case—distorted by his intense and exceptional spirituality. For all his learning and clarity of mind Fisher was not, in the ordinarily accepted sense of the terms, a man of brilliance, or of genius, or even of marked originality. But with his soundness of judgment and his prudent reforming zeal, he combined a devotion

<sup>3</sup> For the history of the University see J. B. Mullinger, *The University of Cambridge from the Earliest Times to the Royal Injunctions of 1535*, 1873. A shorter work by the same author, *A History of the University of Cambridge*, 1888. Also Cooper, *Annals of Cambridge*, Vol. I, 1842; and documents in *Documents Relating to the University and Colleges of Cambridge*, three volumes, 1852.



to duty and an awareness of contemporary movements of thought that are the qualities that go to make a successful university administrator and reformer. Fisher had neither More's vivacity nor his extraordinary power of personal attraction, but he had a solidity of intellect and a sureness of understanding that won for him, even, it would seem, as a young man, the affectionate confidence and respect of others.

Fisher was anxious not only to infuse a new religious and devotional spirit into university life, but also to increase and develop the collegiate establishments in Cambridge, and, furthermore, to bring the literary and intellectual life of Cambridge into closer touch with contemporary humanistic movements. Towards all these objects he made solid contributions. But he could not have done what he did unless a general recognition of his complete personal disinterestedness and of his religious inspiration had not enabled him for forty years to hold the affections and to command the co-operation of the best men in Cambridge. The very qualities which later made his martyrdom so appalling were precisely those which gave him his power in Cambridge, and, more especially, which enabled him to bring to the service of Cambridge the pious bounty of that great benefactress the Lady Margaret, mother of King Henry VII and grandmother of King Henry VIII.<sup>4</sup>

This illustrious and talented lady, who combined so masculine a mind with so womanly a personality, saw Fisher's virtues from the moment of her first contact with him. This appears to have taken place in 1494, when business connected with the Senior Proctorship took Fisher to Court at Greenwich. Later, most probably in 1500,<sup>5</sup> he became her chaplain and confessor, and it was through his influence that so many of her benefactions were expended on the promotion of religion

<sup>4</sup> On the Lady Margaret see Fisher's panegyric delivered at her *Month's Mind*, ed. Baker, 1708; Cooper, *Memoir of Margaret, Countess of Richmond and Derby*, 1874. There are also biographies by Caroline Halsted, 1839, and, more compact and less sententious, by Miss E. M. G. Routh, 1924. Fisher's panegyric is reprinted in A. M. Stewart, *Life of John Fisher*, 1879.

<sup>5</sup> This is the date suggested by Van Ortroy, p. 88, and which seems on the whole the most probable. Bridgett and Miss Wilby, following Cooper, say 1502. Mullinger gives 1497, which is certainly too early.



and learning in Cambridge. The sympathy between them was real and intimate, yet entirely without trace, it would seem, of anything like a dangerous esoteric alliance between specially-chosen souls. Both were typical of the England of Henry VII; the personality and talents of both had an essential simplicity and solidity—even, we may say, a heaviness—about them, and Fisher was never properly at his ease, no more than the Lady Margaret would have been, in the more subtle and flamboyant atmosphere of the rule of Henry VIII. The first benefactions which this partnership produced in Cambridge were directly connected with religion. In 1501 the Lady Margaret obtained royal licence to establish a Readership in Divinity in both Universities, and in 1503 the final regulations were formulated and the deed of endowment executed. This is the origin of the Lady Margaret Professorship. It is possible that for some years previously she had maintained a Reader but without settling any specific endowment upon him. By the deed of 1503, the payment of the very generous stipend assigned to the Reader, or Professor, and the administration of the estates from which it was to be derived, were entrusted to the Convent of Westminster, an arrangement in which J. B. Mullinger saw a reasonable suspicion of the possibilities of University mismanagement.<sup>6</sup> The Reader was to lecture free and publicly, every possible day in term and in the long vacation up to September 8th, on such theological works as the University might chose. If reasonable causes incapacitated him, there was to be a deputy. He was to be elected biennially by the body of doctors, bachelors and inceptors in divinity, both regulars and seculars, and their first choice fell, naturally enough, upon Fisher. He did not, however, long occupy the chair, his election to the Chancellorship in 1504 raising him to an incompatible office.

Free and efficient instruction in divinity was only one part of the campaign for the revival of religion in Cambridge. Fisher and the Lady Margaret both realized deeply the need for reform in preaching, felt by most contemporary religious reformers. Sermons were rare, and when delivered were all too often artificial and

<sup>6</sup> *Op. cit.*, 435-6.



over-disputatious. A return to something more homiletic and expository was needed, that the people might be properly instructed and their innate religious sentiments prevented from wandering into wrong or dangerous channels. During Lent, the Lady Margaret Professor might, with the approval of the Chancellor, cease from lecturing, and the time thus saved was to be devoted to sermons. In 1504 the special office of Lady Margaret Preacher was founded. The Preacher was to be resident and unbeneficed, to be appointed triennially and, like the Professor, to receive his salary through Westminster Abbey. His duty was to preach six sermons annually in certain churches in London, Hertfordshire, Cambridgeshire and Lincolnshire. The object was thus to apply academic learning to popular pastoral instruction.

In the year after Fisher became Chancellor of the University of Cambridge, the Lady Margaret's bounty assumed even larger proportions. In 1505-1506 the foundation known as Godshouse was reconstituted as Christ's College. A recent study of the history of Godshouse has enabled us to see this event in its true light and has stressed the real continuity between the old and the new form of the foundation.<sup>7</sup> Godshouse had in fact been a proper collegiate establishment. It could lay valid claim to be a royal foundation of Henry VI's, though it owed its origin to a London priest, William Bingham. Bingham had been what Fisher was after him, an educational reformer. He had been impressed with the shortage of qualified teachers of grammar in the many English grammar schools of his time, and desired to found in Cambridge a collegiate establishment to train masters in grammar able and willing to go out to teach in local schools wherever there might be a necessity. He wished, in effect, for something in the nature of a training college, not, however, where teachers should be trained *qua* teachers, but where what he considered to be the "root and ground" of all the other sciences—grammar—might be taught to such as would later diffuse their knowledge over a wider external area. Bingham, therefore, was the first to envisage a university college as a teaching institution. The foundation of Godshouse

<sup>7</sup> For what follows, see A. H. Lloyd, *op. cit. passim*. Cf. Peile, *Christ's College, 1900* (College Histories Series).



provided for what was a complete novelty, a *college* lecturer, originally to lecture daily in grammar, but whose province was soon enlarged to include not only sophistry, logic and philosophy, but also, when possible, the works of the poets and orators of antiquity. Moreover, the lecturer was to continue during the long vacation so that country schoolmasters might have an opportunity of attending. Provision was also made for pensioners not on the foundation.

Bingham conceived his idea certainly as early as 1436, but not until 1448 did a Foundation Charter set up Godshouse as a properly established corporate body. Though the College Statutes were not sealed until as late as 1495, it is known that the system of the college lecturer was in operation as early as 1451. Godshouse, therefore, before it became Christ's College, had had a history of nearly sixty years as a corporate body, a college in the true sense; with the distinction, which it long retained, of being the only college to undertake a direct teaching function,<sup>8</sup> a function of which the original object was not only to supplement where the University was apparently lacking, but also to supply teachers for the English grammar schools.

It is not easy at first sight to see why Fisher and the Lady Margaret chose this college for enlargement and re-endowment. There seems no truth in the tradition that Fisher had originally been a student there. The researches of Mr. Lloyd have shown that while Godshouse was not wealthy, it was by no means so obscure or poverty-stricken as has been supposed, nor was it the poorest collegiate body in Cambridge. It is true that it could claim Henry VI as, in a sense, its founder, and that the Lady Margaret was always conscious of a duty towards royal and especially Lancastrian foundations. Yet in this respect there were other colleges—King's, Queens', King's Hall—which had plainer claims upon her charity.

The answer is a simple one. It is Fisher's personal friendship with John Syclyng, Master (or Proctor) of Godshouse from 1490, and the contacts which Syclyng himself had had with the Lady Margaret. In the small university society of the late fifteenth century, the Masters of Michaelhouse and Godshouse had become close friends, and only a few years separated them in age. Though

<sup>8</sup> The earliest instance of this in Oxford is at Magdalen, Statutes of 1479: see Rashdall, II, 516.



Syclyng never proceeded beyond M.A. or attained the dignity of Vice-Chancellor, he seems to have been a man of considerable distinction and capacity, and a fit confidant of Fisher's. He was elected Senior Proctor twice, at that time an unprecedented honour. After his first period of office in 1492 he continued to be an influential force in the transaction of all university business, and helped in the settlement of a dispute with the town in 1494, the year of Fisher's senior proctorship. This may well have been an occasion of the cementing of their friendship and the arousing of Fisher's interest in Godshouse. There was renewed official collaboration between them in 1501, when Syclyng was doing his second period as Senior Proctor and when Fisher was Vice-Chancellor. Again there were disputes with the town and this time recourse was had to the mediation of the Lady Margaret.

Mr. Lloyd suggests the summer of 1503 as the time when the Lady Margaret began to form her idea of adopting Godshouse. It was the year of the foundation of the Professorship, and it is known that Syclyng visited her at her estates at Colyweston in Northamptonshire, when a great deal of data regarding the college, its foundation, constitution, history and resources, was evidently put before her. There is no need, however, to reject on this account the belief, for which other authorities vouch, that it was Fisher who turned her mind from the chantry foundation of Westminster, which she had projected, to the more educational object of collegiate benefactions in Cambridge. He was at the moment (1503) not only her chaplain and confessor, but the most important member of her personal council, on which the masters of Peterhouse and Clare Hall also figured.<sup>9</sup> This council addressed six enquiries to Syclyng in respect of the status, statutes and funds of Godshouse, and after satisfactory answers had been returned, matters went forward in due course. The agreements between Syclyng and the benefactress were first ratified by the University in a tripartite indenture to that effect. On May 1st, 1505, royal letters-patent give licence for the continuance of the existing college under a new name subject to the assent and consent of the Master and other members. Finally, on October 3rd, 1506, the Master and Fellows formally

<sup>9</sup> List in Lloyd, p. 284.



accepted the new statutes, and Godshouse became Christ's College.

The new endowments generously provided by the Lady Margaret enabled the college to be reconstituted on a larger scale. Christ's was to have a Master and twelve Fellows, chosen whenever possible from the scholars, six to come from north of the Trent, and all to take Holy Orders. Provision is made for forty-seven scholars, twenty-three to come from the northern counties. In other respects the special features of Godshouse are preserved: the basic purpose of the foundation is still to be the making of masters in grammar to become grammar school masters; the college lecturer is continued, he is still to lecture in the Long Vacation, and to include when he can, the poets and orators of antiquity, within his syllabus; provision is still made for pensioners; in choosing pupils and fellows, preference is still to be given to men born in places from which the college derives revenue.<sup>10</sup> The very change of name, Mr. Lloyd argues, is merely a change to newer terminology: the term College was coming into use in place of Hall or House, and fifteenth century devotion was abandoning the mediæval use of "God" to denote the second person of the Trinity. Between 1505 and 1506 both names were in use.

The knowledge that the special features in the statutes of Christ's College can be traced back fifty years and more to William Bingham, makes it impossible to ascribe them to the originality of either Fisher or the Lady Margaret. But that they both approved them and realized their significance can hardly be doubted. That Fisher had the major part in framing the statutes seems certain, and he was in all probability responsible for the wording of the oaths to be taken by future masters and fellows binding them not to seek dispensations (apparently from the Roman Curia) to override the statutes. But Lady Margaret was a woman of great administrative and domestic experience and ability, and can hardly have been content with a purely passive collaboration. "The curious," writes Mr. Lloyd, "may see the hand of the

<sup>10</sup> Statutes of Christ's in *Documents*, Vol. III. Cf. Rackham, *The Early Statutes of Christ's College* (privately printed, Cambridge, 1927).



foundress in certain portions," in certain domestic details, in the provision of a woman nurse, clean surplices, a country residence in time of plague, in the permission accorded to Fisher to use her own rooms (of which she had a set in College), in the appointment of Fisher as visitor for life.

Fisher had been ordained priest as fellow of Michaelhouse and had had a special dispensation on account of his youth. In 1504 he was nominated bishop of Rochester by Henry VII, and in the same year was first Chancellor. He had some time previously resigned the Mastership of Michaelhouse, perhaps on becoming Chaplain to the Lady Margaret. The bishopric entailed absence from Cambridge, the Chancellorship did not demand residence. In April, 1505, he accepted election to the Presidency of Queens' College, an office which he held for three years, and which gave him a residence in Cambridge during the period of the transformation of Godshouse. But he did not regard the new office as a sinecure, and identified himself with the interests of the College as well as won the affection and loyalty of its members.<sup>11</sup> It was as Chancellor and President of Queens' that Fisher received the Lady Margaret at Cambridge in 1505 and the King himself in 1506, when he addressed to Henry VII the Latin oration in which he referred to the revival of Cambridge studies.<sup>12</sup>

Just as Fisher is said to have deflected the Lady Margaret's charitable designs from the endowment of a chantry at Westminster to the refounding of Godshouse, so also he is credited, and there seems no reason to disbelieve it, with having been instrumental in turning her from projects at Oxford to the foundation of St. John's College out of the old Augustinian hospital of St. John.<sup>13</sup> This old foundation of the thirteenth century had much decayed, and at the beginning of the sixteenth was in a deplorable condition under the misrule of Prior William Tomlyn. Although it had always been a hospital, and never a college, it had attained certain academic privi-

<sup>11</sup> On Queens' College see W. G. Searle, *History of Queens' College*, two volumes, 1867, 1871. Also J. H. Gray, *Queens' College*, 1899 (College Histories Series).

<sup>12</sup> Printed in Leland's *Itinerary*, Vol. II, pp. 156-164 (1770 edition).

<sup>13</sup> Extracts from the "Thin Red Book" at St. John's, published by Cooper, *Memoir*, pp. 246-7, 252-3.



leges, and had had relations with the University. Fisher and the Lady Margaret planned to found a college dedicated to St. John out of it. But before the undertaking could be set in motion, the benefactress died, in June, 1509, having outlived her royal son by barely two months.<sup>14</sup>

Her executors, chief and most energetic of whom was Fisher, set to work to carry out her plans. The necessary steps for the dissolution of the hospital, including, of course, recourse to Rome, were taken successfully, in spite of some opposition from the Bishop of Ely, and the licence of Henry VIII for the new foundation secured. But it transpired that the new benefactions by which the Lady Margaret had intended to supplement the older revenues of the hospital had been made by a codicil to her will, which was lacking in certain legal technicalities. They were contested by her heir—no less a person than the king himself, egged on, it is said, by Wolsey. In the original foundation charter of 1511 no mention was made of the legacies, and after two law-suits energetically prosecuted, the claim to these had to be abandoned. St. John's College has little for which to thank Henry VIII, except that he at least did not oppose its actual foundation. Later, Fisher was able to increase the resources of St. John's by securing for the college the revenues of three suppressed religious houses.

The statutes of St. John's, several times re-modelled, were originally based upon those of Christ's. The final form worked out by Fisher in 1530 derived much from Wolsey's statutes for Cardinal College, Oxford, in their turn very similar to those given by Fisher's friend, Bishop Fox, to Corpus Christi College, Oxford. These statutes of 1530, in the words of J. B. Mullinger, "serve to illustrate the steady growth of the general conception of the collegiate system at this period—its studies, its discipline, and its whole economy." While the original statutes of 1516 fill forty-eight closely printed pages, and those of 1524 seventy-seven, the statutes of 1530 extend to nearly

<sup>14</sup> On St. John's College see Baker, *History of St. John's College, Cambridge*, ed. J. B. Mayor, Vol. I, 1869; J. B. Mullinger, *St. John's College*, 1901 (College Histories Series). Also J. B. Mayor, *Early Statutes of St. John's College, Cambridge*, 1859; and Babington, *History of the Infirmary and Chapel of the Hospital and College of St. John's*, 1874.



a hundred and thirty.<sup>15</sup> In those of 1524 only one college lecturer is mentioned, but in those of 1530 provision is made for one principal and two sub-lecturers, with the possibility of a further increase. Fisher himself was given power to alter the statutes in various respects, while his own special foundations, the separate existence of which was afterwards abolished, take up six pages in Mayor's edition (Statute 54 of the 1530 collection). Both in the 1530 and later statutes much emphasis is laid on preaching, and the study of Greek and Hebrew commended.

In his history of Godshouse Mr. Lloyd had shown that more of the original buildings were incorporated and preserved in the fabric of Christ's than was believed by Willis and Clark. In the case of St. John's more new building was necessary. Over this Fisher watched with interest. Before his death a first court, square and of red brick, would seem to have been completed (a second was not added until 1598-1602), and, what is more, paid for, not without some difficulty. The old chapel of the hospital was restored and adapted to collegiate use, and remained standing until the cultured vandalism of the nineteenth century replaced it by what J. B. Mullinger could refer to as "the present noble structure." The old chapel had four side chantry chapels, one of which, on the north side, built probably about 1524, was Fisher's, where he intended to lie in death. A tomb erected for him was discovered in the eighteenth century and was then in excellent preservation, but being removed to the exterior of the chapel soon became completely defaced. In 1528 annual exequies were decreed by senate and University to be observed in St. John's College upon the anniversaries of his death, as founder, though he himself desired, characteristically, that first place should be given to the memory of the Lady Margaret. At Christ's the Master and Fellows accepted from him an endowment for daily prayers for his soul and annual requiems upon his anniversaries. After his martyrdom the king seized his furniture and books, which he had intended for St. John's, and, also, it would seem, some part of his small income. He left £100 to Michaelhouse, as well as the endowment for

<sup>15</sup> In J. B. Mayor, *Early Statutes*, where Fisher's statutes of 1530 and those of Henry VIII of 1545 are printed side by side.



masses at Christ's. But his charity and benefactions during his lifetime left him with little of value to bequeath.

Fisher had first become Chancellor of Cambridge in 1504. Thereafter he was re-elected annually for ten successive years. In 1514, on his appointment as one of the royal delegates to the Lateran Council, a mission which did not materialize, he suggested that Wolsey (despite the Cardinal's obstruction in the affairs of St. John's College) should be offered the office. On Wolsey's declining in a letter "wherein," to quote Mullinger again, "the pride that apes humility is conspicuous in almost every sentence," the University re-elected Fisher for life, an honour never previously accorded.

Fisher was thus Chancellor of Cambridge for thirty years, and during these he watched over the University with care and affection. It was not only in directing the benefactions and foundations of the Lady Margaret that his influence was felt. He aimed at developing a Catholic humanism and the study of Greek and Hebrew in the University. But his cautious mind, while it fully appreciated the best Renaissance literary ideals, was far from condemning wholesale, as so many less critical intelligences were doing, the scholastic achievement and its terminology. None the less it was probably Fisher who induced Erasmus to patronize Cambridge rather than Oxford in his later visits to England. Fisher and Erasmus may perhaps have met in 1498 when Erasmus was first in England. Later, in 1506, when Fisher was President of Queens', Erasmus was admitted Doctor of Divinity in Cambridge as well as Oxford, and in his correspondence bears witness to his admiration for the Chancellor of Cambridge. In 1509 or 1510 Erasmus returned to Cambridge and, through Fisher's influence, was allowed to reside in Queens', tradition says in a room at the top of the south-west tower in the old court. Here he remained for four years, and in 1511 began his lectures on Greek. These were not very successful. But a more fruitful feature of his stay in Cambridge was the production of his *Novum Instrumentum* and of his edition of St. Jerome. He also filled for nearly four years the Lady Margaret Chair of Divinity.

While there is no adequate reason to suppose that Erasmus was the object of any considerable academic



opposition during his period at Cambridge, his lectures on Greek were certainly unsuccessful, and he leaned much on the encouragement and help of Fisher, his debt to whom he willingly acknowledged. But his failure has been pronounced to have been "more apparent than real," and Fisher's patronage of this great international scholar was certainly one of the chief factors in promoting the reputation of Cambridge in the eyes of the continental world of scholarship. On Fisher himself, Erasmus had no little influence. After the publication of the first part of the *Novum Instrumentum* Erasmus again returned to England and spent a month at Rochester with Fisher. While Fisher's piety and sincerity must doubtless have been a wholesome and restraining influence upon Erasmus's somewhat wayward mind, the intellectual alertness of the great scholar struck sympathetic chords in Fisher. Though Fisher was close on fifty he set himself to learn Greek and Hebrew, and took a sympathetic interest in the Reuchlin affair in Germany. During the remainder of his Chancellorship, the subject of Greek was eagerly debated at Cambridge, though there was as yet no permanent lectureship. Yet in Richard Croke, public orator from 1519 onwards, Cambridge produced a Greek scholar who had taught the language at German universities, and whose judgment of Cambridge's superiority in learning in general over Oxford, where the reaction against Greek became powerful, can be accepted in substance.<sup>16</sup> Erasmus himself referred to the three colleges under Fisher's inspiration—Queens', Christ's, St. John's—as societies where the soundest learning and evangelic piety was cultivated, and did not refuse to compare Cambridge with some of the most distinguished continental universities.

As a moralist and disciplinarian, Fisher's ideas were strict, as a reading of the statutes for both Christ's and St. John's, with their many penalties and restrictions, shows. Herein were reflected his own ascetic and self-denying principles of life, yet the provisions were not over-exacting by the standards of the age. In application of discipline he was lenient and inclined to be emotional :

<sup>16</sup> According to Mullinger, a Readership in Greek was founded for Croke in 1519, but the Regius Professorship was not founded until 1540.



the excommunication of a Norman priest for an attack on Indulgences cost him many and bitter tears. He had most fervently at heart the orthodoxy of the University and its members, and where he has been criticized for a rigidity in his arrangements, which certain writers have taken to be obstructive of future intellectual development, we may rather see a care lest moral and doctrinal error should creep in through too easy or too free experimentation with modes and subjects of study. In regard to Cambridge, indeed, Fisher was in some sense *felix opportunitate mortis*, for already Lutheranism was raising its head. Neither the solemn burning of Lutheran works, accompanied by a sermon from Fisher himself, at Paul's Cross, on May 12th, 1521, nor all Fisher's own controversial writings and attentive pastoral care, nor yet the solemn recantation of the Cambridge Augustinian, Dr. Barnes, in 1527, could stop the beginnings of Protestantism in the University, or hinder the spread of Tyndale's writings and translations. The fortunes of the humanist Catholic reform of religion and learning for which such men as More and Colet and Fisher—and Erasmus too—stood, were in the balance, and were soon to disappear. To John Fisher's last hours, a courageous expression of sympathy from his college of St. John—the beloved disciple—must have given much consolation. It was perhaps well for his peace of mind that he could not foretell that his successor in the office of Chancellor of the University of Cambridge, the University which he had done so much to raise to its high and flourishing condition, was to be the King's Vicar-General in Spiritual Matters, Thomas Cromwell, under whom a new period in University history was to be inaugurated.



## B. THOMAS MORE AND THE PAPACY

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**I**T is an entirely unwarrantable assumption that More and Fisher would have been members of the Roman Communion, and not of the English Communion, if they had been faced with the present day issue. . . . There is nothing in the life, character or writings of Sir Thomas More to suggest to an impartial observer that he would change an English for a Roman allegiance if he were alive to-day."<sup>1</sup> "More laid down his life rather than surrender, for fear of death, what he again and again admitted to be but an opinion. . . . It would be idle indeed to dispute with Roman Hagiologists their right to revere him as a martyr of their own, but no true theological estimate would deny that he belongs to the historic and continuous Church of England."<sup>2</sup> "They (Fisher and More) were executed because they could not conscientiously deny the validity of the canon law which had been accepted in England for nearly five centuries. Loyalty to the law made them traitors to the Tyrant."<sup>3</sup>

Because of egregious statements like these, and because the canonization of B. Thomas More is at hand, it is to be regretted that no critical biography of him exists. The best modern life is still that of the late Father Bridgett, while scholarly works such as Miss Routh's, though they present us with a lifelike portrait of the man, fail to tell us anything about the martyr and the saint. The truth is that non-Catholic biographers of More, no matter how sympathetically they handle their subject, are inevitably so far out of touch with his theological environment and his Church that they do not fully understand either his religious views or his atti-

<sup>1</sup> *Church Times*, Letter to Editor, January 25th, 1935.

<sup>2</sup> *Life of Sir Thomas More*, by W. H. Hutton, 1895, pp. 277, 282. These assertions have since been repeated.

<sup>3</sup> *Church Times*, Editorial, January 18th, 1935.



tude to the Roman See, and have, in consequence, gone astray from a true estimate of the reasons why he died, thereby leading their readers into like errors. Yet not all the blame for the confused ideas about More which we find prevalent to-day, especially among members of the Church of England, is to be laid at the doors of non-Catholic writers, for even his Catholic biographers and panegyrists have not succeeded in doing full justice to him. Thus I have never been satisfied with Bridgett's defence of Sir Thomas, though, as far as I know, it is the best that has been put forward, and I have long felt that this failure of modern Catholic authors to discuss at length More's apparently heterodox position in regard to the Papacy has been partly responsible for some of the opinions I have cited at the beginning of this article. I quite realize, however, that for Catholics the point is of little importance, and that the brief treatment it has received is due not to any fear of what discussion might produce, but to recognition of the fact that his death completely destroys its significance. Nevertheless, there is a suspicion among non-Catholics that we are afraid to tackle the problem boldly, and so they imagine that More was not such a "Roman" as the Pope would have us believe, that he represented rather the modern Anglo-Catholic standpoint, or that he was not quite certain of himself. "In his letter to Cromwell," one might argue, "did he not say that he had not in his English works greatly advanced the Pope's authority? Did he not remonstrate with Henry VIII when the latter wished to advance that authority? Was not his early opinion on the Papacy directly opposed to the Florentine definition of Eugenius IV? Was not his adherence to the 'Conciliar Theory' a defiance of the decree of Leo X?"

Before answering these arguments, which for brevity's sake I have put in the form of questions, I must give a short historical synopsis of the main factors which were influencing theological opinion in the days of Sir Thomas More. First of all, then, it has been abundantly proved that the belief of the undivided Church in the divine origin of the papal primacy and the universal nature of its jurisdiction was clearly acknowledged, both in Ecumenical Councils, such as Ephesus and Chalcedon, and in the efficacious exercise of that primacy from the



earliest days of the Church until the schism, engineered by Michael Caerularius (1054), unhappily cut off the Eastern Churches from the Petrine See. In the Latin or Western Church, however, the belief persisted unquestioned until the closing years of the thirteenth century. Thus that immortal trinity of theological princes, St. Thomas Aquinas, St. Albert the Great and St. Bonaventure, was absolutely convinced not only of the divine right of the Papacy, but also of its superiority over General Councils. Unfortunately for succeeding generations these Doctors never composed any systematic treatise on the constitution of the Church. As far as St. Thomas is concerned, it is no exaggeration to say that he anticipated the Vatican decrees by six hundred years, as is evident from a small *Florilegium* of his doctrines collected by Cardinal John Torquemada (not the famous Inquisitor, but his uncle) in the fifteenth century. This little work shows that Aquinas treated of the Pope's prerogatives mostly in two tracts, the *Contra Impugnantes Religionem* and the *Contra Errores Graecorum*; it contains but a few citations from the *Summa Theologica*, referring chiefly to papal dispensing powers, and a number of passages from the *Commentary on the Sentences* dealing explicitly with the primacy.<sup>4</sup> It is, nevertheless, tragic to think that the first theological treatise on the Church appeared only after the damage was done, when Torquemada published his *Summa de Ecclesia* in the latter half of the fifteenth century.

The years between 1305, the date of the transference of the papal residence to Avignon, and 1418, when Martin V was elected successor of St. Peter, were so full of scandals, heresies and schisms, that many theologians completely forgot in the horrors of the present the undisputed beliefs of the past. Amidst the confusion caused by the rival claimants to the papal throne it was impossible to discern the rights and the wrongs of the quarrel, and there grew up a strong conviction that only a General Council could put matters to rights. In the Church the evil effects of this period were incalculable, but for my purpose it will be sufficient to mention two of them. The first was the theory that the Papacy

<sup>4</sup> *De Summi Pontificis Auctoritate Flores Sententiarum Divi Thomae*, Florence edition, 1715.



is not of divine origin. Torquemada in his *Summa*, alluded to above, gives four variations of the theory current in his time: that the papal authority was (1) instituted by the Apostles, (2) or by some General Council, (3) derived from the Cardinal electors, (4) instituted by the Roman emperors (op. cit., lib. 1, c. 29). This last thesis, the most radical of the four, owed its origin to Marsilius of Padua (†1343), to the English Minorite William of Ockham, the evil genius of the fourteenth century (†1350), and to a Frenchman, John de Jandun (†1328). It is significant that both Marsilius and John, while in Rome at the beginning of the year 1328, put theory into practice by playing a prominent part in the farcical deposition of John XXII; this was the first of several depositions that were to follow during the next ninety years. In England John Wyclif (†1384) and, through him, in Bohemia John Hus (†1415) disseminated similar doctrines, with this difference, that they introduced the Devil and Anti-Christ into their arguments. Needless to say, the anti-papal bias of these men and their followers led them to support the "Conciliar Theory," the other result of the Great Schism with which I am concerned.

Growing accustomed, as they were by now, to the fact that Popes could be deposed, forgetting in the general confusion the long established rights of the Papacy, and seeing no hope of healing the papal schism save through a General Council, theologians began to argue that the Pope, though *iure divino* the Vicar of Christ's Church on earth, was not above the Church when assembled in a General Council, and that consequently it was lawful to appeal from a papal decision to such a Council. I cannot here give all the subtle variations on the main theme, but I must point out that it received the support of many great theologians then and later. Thus John Gerson (†1429), the most celebrated theologian of the epoch and the father of theological Gallicanism, Peter d'Ailly (†1420), Francis Zabarella (†1417), Robert Hallam (†1417), and the theological Faculty of the University of Paris explained and defended the "Theory." On the Pope's side you have during this period Alvaro Pelayo (†1352), St. John Capistran (†1456), St. Antoninus of Florence (†1459), and John Torquemada (†1468). Both the Councils of Constance and Basle defined the "Theory,"



but the Popes always resisted their definitions. In 1439, at the Council of Florence, Eugenius IV defined as an article of faith the divine right of the Papacy and its universal jurisdiction. Appeals from the Pope to a General Council were condemned by Pius II, Sixtus IV, Julius II; and at the Fifth Council of the Lateran (1512-1517) Leo X condemned the pseudo-definitions of the Council of Basle. In 1511 Cajetan wrote in defence of the papal supremacy over the General Council, but his conclusions were fiercely contested by the University of Paris, which commissioned two of its professors, Jacques Almain and Jean Major, to refute the work.

Bearing these facts in mind one ought not to be surprised that B. Thomas More, born in 1478, at first considered the Papacy to be of human institution. Apparently he had never given the question much thought. What with so many conflicting theories still obscuring the theological atmosphere, the cares and distractions of a busy public life, the scarcity of books and their high price, and the fact that he was not a trained theologian, his attitude is excusable. It is quite possible that he had never heard of the definition of the Council of Florence; it is certain that he never appreciated its significance, if we are to suppose he had heard of it. I say it is certain, because Sir Thomas was all his life a devoted son of Holy Church and held General Councils in such great reverence that, had he realized that an Œcumenical Council had defined the *ius divinum* of the primacy, he would have given the definition an ungrudging assent, as he had assented by 1523. As an indication of his position at this time I will quote the following passage from his *Life of John Picus, Erle of Myrandula*: "Which defence and all other things that he should write, he committed (like a good Christian man) to the most holy judgment of our Mother, Holy Church. Which defence received, and the xviiiij questions duly by deliberation examined, our Holy Father the Pope approved Picus and tenderly favoured him, as by a bull of our Holy Father, Pope Alexander VI, it plainly appeareth" (*Eng. Works*, Rastall's edition, 1557, p. 4). These words were written in 1510, and I think the respectful references to Alexander VI may appear just as startling to modern minds as More's early view on the supremacy! They are certainly not the words of an



obstinate heretic. Are we then to stigmatize him as a "material" heretic? God forbid! The following wise words of B. John Fisher are very much to the point in this matter: "The Roman Pontiff is, by divine right and the prerogative given to Peter by Christ, general Vicar in the whole Church. But it does not necessarily follow that all those who do not acknowledge this primacy sin and are heretics, provided they are not acting in an obstinate and malicious fashion" (*Lutheranae Assertionis Confutatio*, Paris ed., 1523, p. 152a). Furthermore, a "formal" heretic is one who, knowing what the Church's authority means, deliberately withdraws his submission to that authority; a "material" heretic is one who through invincible ignorance of what the authority of the Church really is, chooses in good faith some other canon of belief. "Formal" heresy is a grave sin, "material" is not. It is therefore essential to heresy, whether "formal" or "material," that there should be a withdrawal from the guiding rule of the teaching Church. In the case of a person who acknowledges that authority, but who denies an article of faith, either because he does not know that it has been defined, or because he errs about the meaning of the definition, no heresy whatever is involved, since there is no withdrawal from the Church's authority (cp. Billot: *De Virtutibus*, p. 347; Vermeersch: *Theol. Moralis*, Vol. II, p. 20). The trouble is that we are moved by a false analogy to attribute the distinction between "formal" and "material" sin, viz., culpability, to heresy, arguing that where you have guilt, there you have "formal" heresy, and where you have no guilt, "material" heresy. More, then, was in no way whatever a heretic.

In the year 1521 King Henry VIII showed him his famous *Assertio Septem Sacramentorum*, wherein Henry proclaimed the divine right of the Papacy. Let us hear the martyr's own version of the incident. "I was myself sometime," he says in a letter to Cromwell written in 1534, "not of the mind that the primacy of that See should be begun by the institution of God, until that I read in the matter those things that the king's highness had written in his most famous book against the heresies of Martin Luther. At the first reading whereof I moved the king's highness either to leave out that point, or else to touch it more slenderly, for doubt



of such things as after might hap to fall in question between his highness and some Pope, as between Princes and Popes divers times have done. Where unto his highness answered me that he would in no wise minish of that matter, of which things his highness showed me a secret cause, whereof I never had any thing heard before" (*Eng. Works*, p. 1427, *vere* 1426). Mr. Hollis in his recent study of Sir Thomas More throws doubt upon this admission of the martyr. "As to Papal supremacy," he writes, "there had been a time when he had been inclined to think that that supremacy was not directly ordained by God. . . . He had been converted, he said, by the King's book against Luther. . . . Did he truly mean this? or was it a quiet little dig of irony? We cannot say. . . ." (*Sir Thomas More*, 1934, p. 240). Now it is against this sort of apology that I must protest, as it does the cause of B. Thomas far more harm than good. We must credit the whole of his statement, nor is there any need to see in it some subtle irony based on a lie. He was on his defence, and was measuring every word he wrote. Though not yet imprisoned, he well knew the terrible danger threatening him, and on *a priori* grounds we can confidently assert that his extraordinary sense of prudence and caution, manifested again and again during this period of waiting and anxiety, would not permit him to indulge in a jest by stating something that he knew to be utterly false. He was always most chary of irritating the King. But for the truth of the whole passage we are not entirely dependent on such reasoning, convincing though it is; Stapleton, for example, accepted it (*Tres Thomae*, Cologne, 1612, p. 310), and there is the evidence of Roper himself, who tells us that Sir Thomas in the presence of the King's Council, a few days before he wrote to Cromwell, asserted that when compiling the index for the King's book he found therein "the Pope's authority highly advanced, and with strong arguments mightily defended," and suggested the amendment of these passages. Now the only arguments in the *Assertio* advancing the papal authority in any way are those which treat of the divine right of the Supremacy, arguments that More himself was to use two years later against Luther, and the only possible way of "minishing" them was to remove from them all references to



that divine right; but this would have involved the removal of the arguments altogether, as, I think, More for political reasons intended. If, on the other hand, he was already convinced that the *ius divinum* of the Papacy was an article of faith, his conduct would have been highly reprehensible.

There was, moreover, enough grim irony about the whole situation to render a "quiet little dig" at the King superfluous. "Luther distinguishes between the Church of the Pope and the Church of Christ, when the fact is that the Pope is the Pontiff of the selfsame Church of which Christ (is the head). . . . There may be some obscure corner, though I think this impossible, where men do not know of this sacrament (of Holy Orders), but such a corner could not compare with the rest of the Church, which is not only subject to Christ, but also, because of Christ, to His unique Vicar, the Roman Pope."<sup>5</sup> So spoke Henry in 1521 with More respectfully remonstrating: in 1534 there has been a complete *peripeteia* and their positions are reversed!

From 1521 onwards Sir Thomas studied the question of the primacy and found that he had erred. In 1523 appeared Fisher's *Lutheranae Assertionis Confutatio*, wherein are marshalled the arguments in favour of the divine right of the Pope, and among them he cites the infallible definition of the Council of Florence. He concludes his thesis by fearlessly asserting that "any man who obstinately refuses submission to the Roman Pontiff, or who teaches that all men must not be subject to him, both sins and is clearly heretical, nor can any excuse in this matter be made for either Bohemians or Greeks" (*op. cit.*, p. 152a). In the dark days that were to come, both Fisher and More must have found comfort in that conclusion. Sir Thomas commenced his controversial work by an attack on Luther published after Fisher's book but in the same year. This was a Latin work written under a pseudonym, but it stressed the importance of the Florentine definition. It is certain, then, that by this time More was convinced of the divine right of the Holy See and that it was an article of the Catholic faith. How far he was indebted

<sup>5</sup> *Assertio Septem Sacramentorum*, printed by Pynson, London, 1521, fol. P. 6.



to Fisher in arriving at this conclusion is not known; but he had read Fisher's book, because he says: "As regards the primacy of the Roman Pontiff, the Bishop of Rochester has made the matter so clear from the Gospels, the Acts of the Apostles, and from the whole of the Old Testament [i.e., Fisher argues from the types of St. Peter in the Old Testament], and from the consent of all the holy fathers, not of the Latins only, but of the Greeks also . . . and from the definition of a General Council, in which the Armenians and the Greeks, who at that time had been most obstinately resisting, were overcome, and acknowledged themselves overcome [i.e., in the *Decretum pro Graecis* and the *Decretum pro Armenis*, 1439], that it would be utterly superfluous for me to write again on the subject."<sup>6</sup> I have insisted on this fact that More now knew that it was *de fide credendum* that the Pope is supreme head of the whole Church by divine law, because I wished to show forth in all its ignorance, if it be ignorance, the contention that both he and Fisher died for the "validity of the canon law."

I now turn to the English works of Sir Thomas. We know that in his apologia to Cromwell he, in what at first sight seems to be a recantation, stated that "I never have in any book of mine put forth among the King's subjects in our vulgar tongue advanced greatly the Pope's authority. For albeit that a man may peradventure find therein that after the common manner of all Christ's realms I speak of him as Primate, yet never do I stick thereon with reasoning and proving of that point" (*Eng. Works*, p. 1427). Let me say at once in regard to these words that there is no recantation involved in them. The position was this: Henry had broken away from Rome, and, aware of More's attitude, was desperately anxious to prove that More by extolling the papal supremacy in his writings had shown himself to be a traitor to the royal supremacy. This explains why Henry, with an ingratitude that is frankly bestial, had already threatened to charge More with the responsibility of the *Assertio*; but More had turned the tables on him very neatly. Nor could More's Latin work against Luther be used against him, because

<sup>6</sup> Bridgett, *Life*, p. 219. Brackets mine.



it was not in his name. But his English works did appear to offer an opportunity, and so More, like the clever lawyer he was, anticipated the next move by pointing out that there was no chance of catching him there. But to say that he had not advanced greatly the Pope's authority does not mean that he had never advanced it at all. Such a conclusion would be quite beside the mark, as I hope to show both from his *Dialogue* (1528) and his *Confutation of Tyndale* (1531).

It is impossible to read these English works of Sir Thomas without being at once convinced that he was as thorough a Catholic as his great contemporaries B. John Fisher and Thomas de Vio, Cardinal Cajetan. His devotion to the "Churche Catholical" was unbounded; his reverence for the great saints and doctors has been surpassed by none, and his respectful references to the Papacy reveal a staunch Catholic who was Roman too. Carried away by his enthusiasm for Holy Church he lets fall phrase after phrase and argument after argument, all of them betraying a mind centred on Rome. Thus in giving St. Augustine's reasons for becoming a Catholic he quotes, as part of his argument against Tyndale, the following: "There held him in giving of faith and credence to the Catholic Church this thing also, that is to wit that he saw the succession continued in the See of St. Peter, to whom Our Lord had after his resurrection committed the feeding of his sheep, saith St. Austin, from St. Peter's days unto his own time" (*Eng. Works*, p. 690). Concerning St. Peter's primacy he has a great deal to say, but let one quotation suffice: "Upon his (St. Peter's) first confession of the right faith that Christ was God's son, Our Lord made him his universal Vicar, and, under him, head of the Church . . . and therefore Our Lord added thereto, 'And thou being one of these days converted, confirm and strengthen thy brethren.' In which by these words Our Saviour meant and promised that the faith should stand for ever, so the gates of Hell should not prevail there against" (*ib.*, p. 143). In regard to the divine right of the Papacy he argues: "Moreover, the head of the Church is, and from the beginning hath been, a known [i.e., visible] head. And as that man hath been sometimes [a] good man and sometimes an evil, and yet for all that as well the bad as the good, hath still been head of the Church and



a visible head; what cause have they [i.e., heretics] to say that any of the members may not be a member of the Church, though he be an evil man? Christ himself was a visible head upon his Church of his twelve Apostles and upon all his disciples that he took into him good or bad, and then he appointed St. Peter for his successor and head and chief shepherd to feed and govern his whole flock after his death, and so forth the successors of him ever after . . . and first will they fall from St. Peter and refuse him for the head of the Church, and so forth down all the remnants of his successors by row" (*ib.*, pp. 820-821). These few extracts do not, it is true, over-emphasize the Pope's authority, yet they put it beyond all doubt that Sir Thomas held most strongly the *ius divinum* of the Holy See, or, to cite his own quaint words in another connection, of "the whole pedigree of Popes, St. Peter himselfe and al."

As far as I can gather, he regarded the Church's constitution in the light of a limited monarchy, having a divinely appointed head, ruling normally by himself, very much as the kings of England did in those days. At times, however, General Councils were called as a kind of parliament. "The word 'Church'," he tells us "doth [also] signify that part of the Church that in synods and councils doth represent the whole Church. As when we say that there is a law made by the Church that heretics shall not be suffered to preach, likewise as a parliament representeth the whole realm, and is in common speech so called too, as when we say that the realm hath made a law that heretics shall be burned" (*ib.*, p. 406). When lawfully assembled, these General Councils, he held, were superior to the Pope, inasmuch as "there are orders in Christ's Church by which a Pope may be both admonished and amended, and hath been for incorrigible mind and lack of amendment finally deposed and changed" (*ib.*, p. 621). The reader will agree with me, I think, when I say that More's views on the Church were influenced by two factors: first, his own practical experience of the working of the English constitution; and, secondly, the history of the Schism. How far he was indebted to Gerson I do not know, though he mentions his name several times in his English writings. Yet it would be wrong to think of him as a



Gallican: he was not. He was a "Conciliarist," and that is not the same thing.

To return to his letter to Cromwell already mentioned. "Verily since his highness hath appealed to the General Council from the Pope," he wrote, "in which Council I beseech Our Lord send his grace comfortable speed, methinketh in my poor mind it could be no furtherance there unto his grace's cause, if his highness should in his own realm before, either by laws making or books putting forth, seem to derogate and deny not only the primacy of the See Apostolic, but also the authority of the General Councils too. Which I verily trust his highness intendeth not. For in the next General Council it may well happen that this Pope may be deposed and another substitute in his room. . . . For albeit that I have for mine own part such opinion of the Pope's primacy as I have showed you, yet never thought I the Pope above the General Council" (*ib.*, p. 1427). In commenting on these words of the martyr Father Bridgett has in my estimation forgotten one of the first principles of history. "What More adds," he writes, "about the possibility of a General Council deposing the Pope is somewhat *male sonans*, but it must be remembered that More is taking the King at his own word; he had not only appealed to a future General Council against the Pope, but he accused the Pope himself of being a usurper of the Apostolic See by simony, and (in any case) of having forfeited it by heresy. More, therefore, knowing full well that Henry wished for nothing less than the meeting of a General Council, wished His Majesty good speed." He then goes on to point out the modern theological teaching on the question of the possibility of a Pope being deposed, and concludes that it would be unjust to attribute to More's words any further meaning than that which would be given to them by theologians to-day.

Now I should like to observe in the first place that it is not exact to say that More knew full well that Henry wished for nothing less than a meeting of the General Council. He was suspicious, and rightly so, of the King's sincerity about the whole miserable business of the Divorce and the appeal. Why did he insert that solemn warning to Henry against committing overt acts of schism and heresy, if he was convinced of the genuine nature of



the King's doubts? Furthermore, to assert that More's statement about the General Council's deposing power is "somewhat *male sonans*" is to ignore the period in which Sir Thomas lived, and it is bad history to put it like that; you could just as well say straight out that his opinion on the superiority of the Council over the Pope is heretical. To-day the latter view is certainly heretical, and the former at least *male sonans*; but in the sixteenth century theologians of repute held both, and rejected what is now the received teaching of the Church. In doing so they were, of course, quite wrong; but they were not the first nor the last among the great minds that have adorned Catholic Theology, to err. As Franzelin wisely put it: "If certain truths contained in the remote rule of faith [i.e., Scripture and Tradition] have not always and everywhere been sufficiently propounded by the proximate rule of faith [i.e., the teaching authority of the Church], it follows that there can be, and are, doctrines in objective revelation which were able to be called in question and even denied by Catholic theologians without any harm to faith and unity" (*De Traditione*, p. 263). There is, after all, a mighty difference between a dispute among "those of the household of the faith" and a controversy with heretics, and we have no need to be ashamed of one who mistakenly took certain historical facts as indicative of a right—*contra factum non valet argumentum*! We must also acknowledge in view of the evidence already given that More attributed to a General Council coercive powers over recalcitrant Popes, though he is silent as to the extent of those powers. Yet Fr. Bridgett, overlooking the passage from the *English Works* that I have quoted, doubted this. Here again More can be excused, especially when we remember that on this very point the greatest theologian of the period, and the most ardent defender of papal prerogatives, Cardinal Cajetan (†1534), was censured during his lifetime by Gallican theologians, and long after his death by St. Robert Bellarmine. The former held that he was scandalously "ultramontane," and the latter that he was not "ultramontane" enough.

Though it is evident now that Leo X at the Fifth Lateran Council, some eighteen years before More wrote the words to Cromwell, had defined *in recto* the right of the Pope to convoke, transfer and dissolve



General Councils, and *in obliquo* his authority over such Councils, yet as late as 1682 the great Bossuet was insinuating that Leo had neither convened a General Council nor condemned the "Conciliar Theory." St. Robert Bellarmine, writing fifty years after the death of More, says: "Although the question [viz. of the superiority of the Pope over the Council] appears to have been defined both at the Council of Florence and at the last Lateran Council, yet because the former did not expressly define it, and because some doubt the œcumenical nature of the latter, which clearly defined it, even among Catholics to-day the question is disputed" (*Controversiæ, de Conciliis*, lib. ii., c. 13). The opinion that the Pope was superior to the Council Bellarmine held to be *fere communis*. It cannot, either, be denied that More recognized also Henry's right to appeal from the Pope to the next General Council, for this right, too, was a simple corollary of the "Conciliar Theory," and in spite of papal condemnations was still held by certain theologians. Henry himself, for example, in his *Assertio* sneers at Luther's appeal to the next General Council, not, as to-day one might expect, because he regarded such an appeal as derogatory to papal authority, but because of the kind of Council Luther demanded, and Sir Thomas says exactly the same thing (*Eng. Works*, p. 254). Yet Leo X in the Bull "*Exsurge Domine*" (1520) had just condemned the Reformer's appeal as contrary to the decrees of Pius II and Julius II (Harduin, vol. ix., col. 1897). But whatever the interpretation given by contemporary theologians to these condemnations, it is certain that in popular opinion they did not affect the supposed right of Christian princes to appeal.<sup>8</sup> More, as I have said, was not a professional theologian, nor yet a Church historian. On one occasion in the

<sup>7</sup> *Defensio Declarationis Cleri Gallicani*, Pars IIa, lib. vi., cap. 18; Appendix, lib. i., cap. 8.

<sup>8</sup> The following words of Chapuys illustrate the popular view: "He [Henry VIII] said he would do as he liked, without caring for anything, and that your majesty [Charles V] had shown him the way of not always obeying the Pope by the appeal you had made four years ago to a future Council. On this I told him that *he would act like a good Catholic to follow the same path and appeal to the Council*" (*Letters and Papers*, Vol. VI, 1533, n. 351. Italics mine).



Tower he said that he could not remember whether the Immaculate Conception of Our Lady had been defined or not, and that is why I say that we must not look at the opinions of More through modern theological spectacles. The one thing to remember about him is that his attitude to the teaching Church is perfectly clear and orthodox. A General Council, he held, is infallible, and until it has made a decision in some disputed point of belief one must hold the opinion that seems best. In proof of this he cited the dispute over the Immaculate Conception. But, he unflinchingly maintained, once a General Council has defined the truth a man cannot, no matter who is against him, forsake his conscience and contradict the definition, nor can a parliament legislate against it (*Eng. Works*, pp. 1434-1443). When we remember that he knew that a General Council had defined the *ius divinum* of the Pope, it becomes abundantly clear that he did not die for a mere opinion. Indeed, when the Chancellor Audley suggested that he was moved to act as he did "for a right simple scruple," the martyr showed that he was as sure of his position as he was that God is in Heaven (*ibid.*, p. 1441).

Submissive in all things, "like a good Christian man," to the Holy See, hating heresy so much that he called it "the wurste cryme that canne be," renouncing his own opinion as soon as he realized that it was in conflict with an infallible decision of a "Counsayle Generall" and the universal teaching of all the "oulde holye fathers," and giving up his life rather than swerve one jot from his allegiance to Rome, this glorious martyr and great Englishman is an example to be imitated by all who owe obedience to the Apostolic See. What he would do now, "if faced with the present-day issue," I do not know for certain, nor does any man;<sup>9</sup> but I do know what he did in the past, and for that is he to be canonized. I can say this, too, that nowhere in all his writings, nor in any point in his saintly life, is there to be found anything that remotely suggests a contumacious spirit. Naturally strong-willed, he nevertheless evinces the faith of a little child, and for that faith he gave up his loved ones, his liberty and life itself.

<sup>9</sup> In scholastic terms the answer to such futile arguing is: "Nec Deus nec Ecclesia de futuribilibus iudicat, totiusque argumenti negatur suppositum."



On a bright July morning, four hundred years ago, Sir Thomas More, one time Lord Chancellor of England, Chancellor of the Duchy of Lancaster, Privy Councillor, Speaker of the House of Commons, Master of Requests, Barrister-at-law and Under-Sheriff of the City of London, stood upon the scaffold and faced the expectant crowds. It was the most solemn moment of his life. With all his faculties clear, confronted by the grim axe and the block, the greatest lawyer in Europe and the shrewdest wit of his time, knowing, if ever a man knew, the reason why he had come to this pass, began to speak to the people. His words were few, but weighed. "Pray for me," he said, "and bear witness with me that I here suffer death in and for the faith of the holy Catholic Church."

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## THE PROCESS OF CANONIZATION

BY THE REV. BERNARD W. GRIFFIN, D.D., D.C.L.

**W**E are primarily concerned with the process of canonization of our two Martyrs, Blessed John Fisher and Blessed Thomas More, which in many respects differs from the ordinary process. With fifty-four other English Martyrs they were beatified by Pope Leo XIII on the Feast of Saint Thomas of Canterbury in 1886. This beatification, commonly known as "equivalent" beatification, was a confirmation of the public ecclesiastical honour which had been paid to the Martyrs, and the Sacred Congregation of Rites which deals with these causes had to satisfy itself that historically such public veneration had been paid to them with the consent of authority. It is a well-known fact that the paintings on the walls of the chapel of the Venerable English College in Rome arranged by a certain John Gilbert about the year 1582, copies of which were inscribed shortly afterwards in a book still kept in the archives of the college, were the main proof offered and accepted of public honour having been paid to them. In the process which led to this decree, no question was discussed about the cause of their martyrdom, their writings were not examined, nor were any miracles brought forward in confirmation of the veneration paid to them.

When, however, it was decided to petition the Holy See for the canonization of the two Martyrs, full enquiries had to be made into the fact and cause of the martyrdom; and the witness of historians, Catholic and non-Catholic, to the heroicity of their lives and deaths was collected. As is usual in these cases a postulator had to be appointed who must reside in Rome and whose work it is to direct the collection of evidence and to submit the evidence when collected to the Sacred Congregation of Rites. The postulator who petitioned for the resumption of the cause was Fr. Agostino della Vergine, a Trinitarian, who in turn appointed Mgr. Hallett, Rector of St. John's Seminary, Wonersh, as the Vice-Postulator of the cause. The decree allowing the cause to be resumed was signed



by the Holy Father on the 18th of June, 1930, at the request, as is stated in the decree, of a number of Cardinals, of the English bishops and of other persons of rank and distinction.

Meanwhile, the work has gone steadily forward, witnesses have been examined, evidence has been collected from historical writers and the whole mass of evidence together with the writings of the two Martyrs has been submitted to the Sacred Congregation. It is not necessary here to deal with the meetings held in Rome at the Congregation of Rites to discuss the cause, the culmination of which came on January 29th of this year when the decree "*super dubio de martyrio et de causa martyrii*" was read in the presence of the Holy Father. Perhaps some of us were expecting some definite news of the success of the cause immediately after the reading of this decree, but the final decision was, according to custom, left over for a few days in order as the decree itself states, that guidance may be obtained through special prayer to God.

Actually the Holy Father gave his decision some few days later. In the decree it states that the Sacred Congregation of Rites has obtained complete evidence of the fact and cause of martyrdom of the two beati—"de martyrio et de causa martyrii." The first question deals with the proof of death for Christ's sake; the second deals with the intentions on the part of the persecutor and of the one who has suffered. It is an old saying that it is not the suffering but the cause that makes the martyr. Death must be unjustly inflicted and must be accepted, at least by one in adult age. The persecutor must at least intend to persecute Christ, or His cause or His religion, whatever other motives may have actuated him. It suffices, says Cardinal Billot, if the reason of the persecution is the Christian religion of the one who is persecuted.

But, again, no discussion of miracles took place, since the Holy Father consented to grant a dispensation from proof of miracles in this case. In his classical work, "*De Beatificatione et Canonizatione Servorum Dei*," Pope Benedict XIV discusses the question of the necessity of miracles in the case of the canonization of a Martyr. He cites Pope Alexander III in his Bull of Canonization of Saint Thomas à Becket, who states that whilst for



the Church Triumphant all that is necessary is that the servant of God should have practised the virtues to an heroic degree, or that a martyr should have suffered violent death for Christ's sake, yet for the Church Militant some definite sign is wanted from God as witness to the sanctity of the one to be canonized. Actually, however, the Pope can dispense from miracles and such a concession was granted in the case of the canonization of St. Ephraem in 1920 and of St. Albert the Great in 1931.

Following the usual procedure of the Congregation of Rites, after the decree "de martyrio" the decree "tuto" was read on March 3rd in the presence of the Holy Father. This decree states that it is now safe to proceed to the canonization of our two Martyrs. Three consistories are then held, the secret, public and semi-public. In the secret consistory the Holy Father takes the votes of the Cardinals who are present, no one else being allowed to assist. At the public consistory, to which other prelates are invited, one of the advocates pleads the cause of the Martyrs and a prelate answers in the Pope's name, inviting all to pray that the Holy Father may be enlightened on the subject, and the Pope fixes the date of the semi-public consistory. To this third consistory the Cardinals and Bishops present in Rome are summoned and any Bishops living within one hundred miles of Rome. The Bishops of the rest of the world are also invited, and are reminded that by attending the consistory they will be dispensed from the next visit "ad limina." Pope Benedict XIV discusses the value and necessity of these consistories. It may seem superfluous, after the Holy Father has already declared his intention in the decree "tuto" to canonize the servants of God, to consult the Cardinals and Bishops. His reply would be that by the decree "tuto" it is made clear that it is safe to proceed with the canonization and, among other matters, to receive the votes of those who according to law and custom are to be consulted. And, although there is no case on record of an adverse vote being given after the "tuto" decree, yet such action is not outside the bounds of possibility. Externally it adds dignity and solemnity to the occasion.

As we have seen the Holy Father has graciously granted a dispensation from miracles, but, in addition, he has



given this forthcoming canonization added honour and distinction, by allowing the full solemnity of the consistories and of the ceremony in St. Peter's, when it is hoped that he will sing the first Mass of the newly-canonized Saints. When we realize that in the case of St. Ephraem and St. Albert the Great, which by the fact that the Holy Father dispensed from miracles, are similar to the canonization of our Martyrs, the canonization was made by a decree but no ceremony took place in St. Peter's, we should be extremely grateful for the honour the Holy Father has paid to our martyrs and to England. It was Pope Alexander III who canonized St. Thomas at Segni in 1173, who introduced the custom of singing Pontifical Mass on the occasion of a canonization.

Doubtless it is the Holy Father's admiration for the loyalty of our Martyrs to the Holy See and the Person of the Holy Father that has prompted him to pay such honour to them. For so did His Holiness express himself at the ceremonies in connection with the beatification of the Martyrs in 1929. "They died," he stated, for the 'Romanità,' the 'Papalità' of the See of St. Peter, and in a special way are they Our Martyrs because of their loyalty to the Holy See and to the Person of the Holy Father."



## WHY THEY DIED

BY THE REV. PHILIP HUGHES, L.Sc.Hist.

### I.

**T**O Blessed John Fisher there belongs this glory that he was the first openly to resist the complicated manœuvres by which Henry VIII transformed the constitution of his country and the ancient religion of its people. He was easily the most distinguished theologian of his day in England. He was a powerful preacher, the chosen orator of the hierarchy on all occasions of State. He was a literary artist and a practiced controversialist. The numerous Latin works, which in the ten years after Luther's revolt had come from his pen, had given him a European prestige. With More and Tunstall he was one of the best known Englishmen of the time—a man whose opinion mattered enormously.

From the day when Wolsey first opened to him the king's "case of conscience" in May, 1527, to the day, little more than two years later, when Campeggio's adjournment of the Legatine Trial removed the active operation of the matter from the influence of the English hierarchy, the Bishop of Rochester was the mainstay of the Queen's case. In private consultation with the king, in written statements, in speeches at episcopal reunions and before the legates, he stood manfully for the facts of the case—that the pope had dispensed the marriage and that therefore it was good. To no one more than to him was it due that by the time the case disappeared into the Roman courts all Europe knew the scale of the English king's outrageous dishonesty. It was a first charge in Henry's account against him.

It was in July, 1529, that the Legatine Trial ended. Four months later the famous Reformation Parliament assembled and for the next two years Fisher, here too, led what opposition there was to the innovations. There had been a moment, twenty years before on the death of Henry VII, when it might have seemed that the young Bishop of Rochester was to dominate the national life, as in fact it fell to Wolsey to dominate it. But the death



of the boy king's grandmother, Margaret of Richmond, only a few weeks after that of her son, had kept John Fisher in the quiet background of Rochester and Cambridge. Parliament rarely met, the Court had scarcely known him, and in the long ecclesiastical absolutism of the Cardinal Legate there was no place for episcopal independence to influence Church policy. It was the fall of Wolsey and the parliamentary attack on religion that brought John Fisher back into the national life.

He fought stubbornly and boldly in the Parliament, and in the fatal Convocation of 1531 he was the sole defender of the menaced primacy of the spiritual. How he was left by his episcopal brethren to maintain alone the Catholic tradition and how, broken-hearted at the defection, to save the appearance at least of orthodoxy he secured the insertion of the famous saving clause is matter of history. In an age of universal servility he had refused to betray his trust. He had delayed the fruition of the royal will and shown himself a possible centre around which resistance might make a stand. His activities in these two years (1529-1531) were a second charge in the royal account against him.

The next three years saw the Submission of the Clergy, Cranmer's appointment to Canterbury, his annulment of the marriage with Katherine and his recognition of that with Anne. They saw Anne crowned as queen. They saw appeals to Rome abolished and the repudiation by Convocation of the papal jurisdiction. Finally (March, 1534) they saw the Acts of Parliament which recognized Henry as Supreme Head of the Church in England, altered the succession in favour of Anne Boleyn's issue and prescribed an oath to accept and defend the altered succession.

During those three years John Fisher played a less active part. He was frequently ill—sometimes, for months together, unable to ride or walk—and as far as could be done he was excluded from the Parliament. The king had not looked on unmoved at the Bishop of Rochester's steady opposition. Fifteen hundred and thirty had found the bishop for a time in prison. There had been two mysterious attempts to murder him. He had been excluded from his place in the House of Lords and, in 1533, he again spent two months under restraint—the two months in which Cranmer sanctified Anne's



new place as Henry's queen. In the autumn that followed came the birth of Elizabeth and the arrest of the Holy Maid of Kent and her alleged supporters. It was a new chance to harass the bishop. His name was set in an Act of Attainder as one of the Maid's supporters. He was thereby declared guilty of misprision of treason, sentenced to loss of all his goods and life imprisonment. Then the royal clemency intervened. A fine equal to a whole year of his revenue was accepted in its place.

This Act of Attainder received the royal assent on March 30th, 1534, and that same day the royal assent was also given to the Act which altered the succession to the crown in favour of the issue of Henry by Anne and which ordained that all should swear to the new succession.

John Fisher was still held at Rochester by his ailments when the new bills became law. He had not been present in Parliament while they were discussed. Now he received a summons to appear at Lambeth to take the oath. It contained, in addition to the pledge to defend the altered succession, an explicit repudiation of all oaths sworn to any foreign power—an implicit repudiation, for Fisher, of his consecration oath to the pope. He was willing enough to swear to the succession, but he could not swear the oath as it had been drawn. But "oaths of allegiance to that regimen were not enough, there must also be renunciation of all other allegiance." The bishop was thereupon committed to the Tower (April 13th, 1534).

The Act under which the oath was tendered to him (25 Hy VIII, c. 22) did not itself provide the text of the oath. Only in the following November (1534) did a further Act retrospectively give legal value to the text proposed to Fisher. The Act did, however, provide a penalty for whoever refused to take whatever oath was offered—life imprisonment and loss of goods. Two further Acts of November, 1534, recognized the king as Supreme Head of the Church and made it treason maliciously to deny him this or any other of his titles and honours. It was by means of these two last Acts—and not through the meshes of the Act of Succession—that the king finally avenged himself on the

<sup>1</sup> Pickthorn : *Henry VIII*, p. 239.



Bishop of Rochester. In the first month of his imprisonment the bishop had been the victim of more than one attempt to persuade or beguile him into swearing the ambiguous oath to defend the succession. From the devising of the new laws the object of the attack changed. It was now the aim of the various commissioners to procure from the bishop a denial of the royal supremacy.

It was for this that finally, on June 17th, 1535, he was indicted and stood to his trial at Westminster Hall—namely, for “maliciously and traitorously . . . attempting . . . to deprive our most serene lord Henry VIII, King of England and France, Defender of the Faith and Lord of Ireland and Supreme Head on earth of the English Church, of his dignity, title, and style of Supreme Head on earth of the English Church, annexed and united as aforesaid to his said imperial crown.” So the official wording of the indictment. It was to this he pleaded and this was the charge to prove which the Crown offered evidence. It was of this that he was found guilty, and for this he was sentenced to death. As to the evidence offered by the Crown in proof, there is a certain obscurity, of which more in a moment, but that this and no other was the accusation there is no doubt whatever. The actual indictment has survived and these are its very words.

The obscurity that hangs over our knowledge of the trial derives from this that we have no official record of it, and that the one record we do possess—the detailed account in the *Life of Fisher* once attributed to Richard Hall—is apparently at variance with what official papers have survived. According to “Hall”, the solitary evidence offered in proof by the Crown was a private conversation between the bishop and the Solicitor-General, Sir Richard Rich. Rich finally procured a declaration of his opinion from the bishop by stating that the king was troubled in mind as to the lawfulness of declaring himself Supreme Head of the Church and that he desired, for relief of conscience, really to know what Fisher thought. To Rich’s evidence the bishop objected that from the nature of the conversation it could not be said that he had spoken “maliciously”—an objection the judges overruled as they overruled the bishop’s further objection that treason cannot be legally proved by the testimony of one witness only.



On the other hand, the indictment is clear that the words were spoken to several and on May 7th. Now we know from other sources that on May 7th the bishop was examined before the Privy Council and that he was plied with questions about his opinion. According to a declaration of his servant, who, concealed behind a screen, heard the discussion, the bishop answered compromisingly, although when, later that day, the servant warned his master of his danger the bishop declared that he had not spoken as his servant seemed to think.

According to Fr. Van Ortro<sup>2</sup> the bishop, on May 7th, still relying on the word "maliciously" to safeguard his declaration, was explicit in his denial. It was for this explicit denial that he was tried and sentenced on June 17th. The story of Rich's treachery, unconfirmed as it is, and difficult to fit in with the facts as the official papers<sup>3</sup> make them known, and showing a certain parallelism with the story of Rich and the conviction of Blessed Thomas More, Van Ortro does not accept. Forty years after Fr. Van Ortro the whole question was re-examined by Professor Chambers in his edition of Harpsfield's *Life of More*.<sup>4</sup> His elaborate study seems to me convincing that "Hall" is not confusing the two trials, and that his account is accurate.

This controversy is only mentioned here to bring out the point that it concerns not the nature of the charge against the bishop—of that there is no doubt—but the means by which the crown proved its case and secured a conviction. Whether it was by a misuse of the bishop's declaration as made to the Council, or by a misuse of his words to Rich that the Crown proved its case, the case proved was that Fisher had refused to acknowledge Henry VIII as Supreme Head on earth of the English Church.

<sup>2</sup> Cf. note at the end of this article. The reference is to Van Ortro, p. 324, note 1.

<sup>3</sup> The account sent by the Imperial Ambassador in London (Chapuis) to the Imperial Ambassador in Rome, according to a letter from the latter to the Empress of July 20th, 1535. *Letters and Papers*, Foreign and Domestic, for the Reign of Henry VIII, Vol. VIII, No. 1075.

<sup>4</sup> Cf. note at the end of this article. The reference is to pages 363-8 of Hitchcock and Chambers.



## II.

John Fisher was a bishop and, more than that, was one of Queen Katherine's counsel. Thomas More, Privy Councillor, Chancellor of the Duchy of Lancaster, several times the king's ambassador to foreign princes, was but a layman. While so purely ecclesiastical a matter as the suit to annul the king's marriage was still *sub iudice* there was no occasion for a layman's opinion to intervene nor had More's opinion anything more than a personal value. The king at a very early date did indeed enquire after that opinion and seek to change it, but until More was brought up against the demand that he should deny the papal jurisdiction in the matter, he was necessarily no more than a spectator of the great drama.

How it would end no man could say and, meanwhile, in the years during which the case moved through all the elaborate stages of legal process, the king's government must be carried on. Diplomacy must continue to busy itself with Charles V and Francis I, the various commissions and the Council must rule and—a most important item of ministerial activity—the prosecution of Lutheran ideas and those who gave them support must be pressed forward unabatedly. These were permanent necessities of national well-being whatever the personal relations between Henry and the pope. Blessed Thomas More then, for the six years that lay between the first mention of the marriage case and the Submission of the Clergy, continued to serve the State with all his genius, the king—who knew him to be opposed to the divorce—leaving him now unquestioned about it and careful not to employ him in a sphere where he must meet the question. So he followed Wolsey as Lord High Chancellor and presided in the House of Lords over the first sitting of the Reformation Parliament.

The Divorce was none of his business, but the anti-clerical proposals of the new parliament decidedly were and More opposed them as opportunity offered. Hence, with the Bishop of Winchester, Gardiner, a first drawing down on himself of the king's displeasure. The matter of this was the proposal that the clergy should surrender to the king the power to make laws for the Church. But More's efforts did little even to delay the betrayal, and the day after it was made he resigned his office (May 16th, 1532). The most distinguished Englishman



of the day was now no more than a private citizen. He devoted himself to the one field of national service that remained, the literary defence of religion against heresy native and foreign.

But for all that More did not attack the nascent cesaropapism, he did not support it and the evident absence of his support was, in the conditions of the time, heavy adverse criticism. Nor did he go to court to salute the newly-crowned Anne Boleyn, and here again the criticism would scarcely pass unobserved. By the time when, in the autumn that followed that sacrilegious coronation, the affair of the Maid of Kent came to a head the king's account against More too had piled up. The attempt to include his name in the attainder that destroyed the Maid is the first public sign how weighty that account was. Nothing would clear it but More's submission or his life.

On March 6th, 1534, while the attainder still hung over him, Blessed Thomas was summoned before the Council. It was a lengthy sitting and the whole trend of it was to leave no doubt in his mind that unless, soon, he could bring himself to support the royal policy the king would find a means to destroy him. Three weeks later the passage into law of the Act of Succession gave the king the beginnings of a new means of coercion. It was the same means by which the Bishop of Rochester too was destroyed, and for the next fifteen months the lives of the two saints are curiously parallel.

More was the first to refuse the oath that contained, in addition to the promise to be loyal to Anne Boleyn's heirs, a repudiation of the papal jurisdiction. He was sent to the Tower and, like John Fisher, subjected to subtly varied pressure to induce him to follow the mass of his fellows and accept the revolution. By 1535 the new Supremacy Act offered a better means still and the king began to plan how to procure from More such an expression of opinion as would bring him within its penalties. More had refused the oath and on that account he was in prison for life. Before he could be put to death he must, in words at least, deny the royal supremacy.

On April 31st came a first endeavour on the part of the Council, Cromwell telling him that his "demeanour



in that matter was a thing that of likelihood made other so stiff therein as they be." The commissioners, however, found the saint's knowledge of the law too much for them. There was a second interrogation on May 7th and a third on June 3rd, at the conclusion of which Cromwell declared to More that he liked him this day "much worse than he did last time." The next incident was the discovery that the two confessors had managed to correspond with each other. Their servants were examined and upon their replies a new interrogatory of the prisoners was drawn up, administered to them on June 14th. But to no avail. The Council had no legal means to compel More to condemn himself, and his own legal skill still enabled him to avoid their traps and yet not break the law.

When the fact of the correspondence was discovered the Council had decided to deprive More of all his books and his writing materials. It was the Solicitor-General—Rich—who supervised their removal and on this occasion, so he later declared, Sir Thomas committed himself. The Crown's last device had succeeded. Since the prisoner would not commit himself, false witness should swear that he had done so and the perjury convince the jury thanks to the rank of the perjurer; the Solicitor-General's oath bearing down the prisoner's denial. And so it fell out.

The king had at last his evidence, and on July 1st, 1535, ten days after the death of the Bishop of Rochester, Blessed Thomas More came up for trial. The charge, as in Fisher's case, was that the accused had contravened the statutes making it treason to deny that the king is Supreme Head of the Church in England. On May 7th he had refused to answer when asked if he acknowledged the new title; on May 12th he had written to Fisher upholding the bishop in his explicit denial. He had further conspired with Fisher to secure that they would answer in like terms and finally, on June 12th, in a conversation with Rich he had declared that, in enacting the Act of Supremacy, Parliament had gone beyond its power. There is nothing here so explicit as in the charge against the Bishop of Rochester. Even Rich's impudence shrank from proposing to the belief of the court so obvious a lie as that More, after all his



months of skilful refusal before the Council, had in set terms committed himself with Rich.

At the trial—the detail of which is known to us from a contemporary, but anonymous, French account and from the life by Blessed Thomas More's son-in-law, William Roper—the crucial point was the evidence of Rich. The other charges of the indictment More easily disposed of. Then "for the last cast and refuge, to proue that Sir Thomas More was giltie of this treason, Master Riche was called for to give evidence to the jurye vpon his othe, as he did." To this evidence the martyr replied with a denunciation of Rich as a notorious liar and wastrel, and left it to the court, who knew both himself and Rich, whether of the two Rich were not the likelier liar. The jury, of course, believed the prosecution and on Rich's evidence brought in More guilty. Whereupon, being no longer under any obligation to leave upon the Crown the onus of proving his belief and therefore his legal guilt, Blessed Thomas, in the most famous of all his speeches, for the first time openly and fully declared himself.

Later history and the traditional piety of the English Catholics has linked these two martyrs as S. Peter and S. Paul are linked and rightly so. They were alike in the eminence of their public life and in the perfection with which they played their respective parts in the complex drama of their time. They were alike in their simple faithfulness to God and, when in the toils, in their freedom from any touch of rash bravado or unneeded provocation. The same traps were laid for each. They were tried on indictments drawn under the same Acts of Parliament. In each case the conviction was secured by lies and it was through the very same agent that they were betrayed. Finally, does not a common grave hold their bodies?

NOTE.—Although it is nearly fifty years since Fr. Bridgett wrote, his two books (*Blessed John Fisher*, London, 1888, and *Blessed Thomas More*, London, 1890) are still the main authorities for our knowledge of the trials of the two martyrs. To them should be added the great work of the Bollandist, Fr. Van Ortoy, S.J., *Vie du Bienheureux Martyr Jean Fisher* (Brussels, 1893; also *Analecta Bollandiana*, t. X (1891) and t. XII (1893); and the invaluable edition of *Harpsfield's Life of More* prepared for the Early English Text Society by Miss E. V. Hitchcock and Professor R. W. Chambers (published 1932). This last



work prints the full text of the often cited Paris newsletter of July, 1535 (pages 254-66) and also Blessed Thomas More's indictment (pages 269-276), from the actual document, endorsed *Billa Vera*, in the Public Record Office. As this is, so far as I know, the only book in which it is published, it is perhaps worth while quoting the concluding sentences which resume the legal charge on which the martyr was tried. "*Sicque Juratores predicti dicunt, quod prefatus Thomas More false, proditorie, et maliciose, arte imaginavit, inventavit, practicavit et attemptavit prefatum serenissimum dominum nostrum Regem de dictis dignitate, titulo et nomine supradicti status sui Regalis videlicet de dignitate titulo, et nomine suis supremi Capitis in terra Anglicane ecclesie penitus deprivare. In ipsius domini Regis contemptum manifestum, et Corone sue regie derogacionem, contra formam et effectum statutorum praedictorum, Et contra pacem eiusdem domini Regis.*"



## HOMILETICS

BY THE RIGHT REV. MGR. DEAN, D.D., Ph.D.

*Sunday after the Ascension.*

Text: "*When the Paraclete cometh, whom I will send you from the Father, the Spirit of truth, who proceedeth from the Father, He shall witness concerning Me*" (John xv. 26).

Of the longer discourses of Jesus three are familiar to you all. In the Sermon on the Mount, delivered before great multitudes, Our Lord sets forth fully and simply the new rule of life He had come to teach. Then, at the close of His ministry, while seated with His apostles upon the Mount of Olives, He unfolds the prophecy of the signs and times of Jerusalem's destruction and of the world's consummation. Finally, at the Last Supper, He utters that deep, doctrinal discourse on the profound mysteries of the Trinity, the Blessed Sacrament, the Mass, the Priesthood, Passion, the "new commandment" of love, the glorification of the Son, the mission of the Holy Ghost and of the Church, wherein Our Lord Himself intimates that there are depths which the apostles can only fathom later with the help of the Spirit of truth. *He shall teach you all things.*

But even while Love pours out its richest revelations, throughout the dialogue and the discourse there is a lingering note of sadness, the cry of a heart distressed, the sense of impending tragedy, the certainty of a gathering hostility: "one of you will betray Me—a little while only am I with you—Satan, the prince of this world, cometh—the world hateth you—it hath hated Me—they have persecuted Me—they will persecute you—yea, the hour cometh when whosoever killeth you shall think that he doth a service to God—ye shall weep and lament, but the world shall rejoice—Just Father, the world hath not known Thee!"

But yet—and mark this well—in the whole course of the long address there is not one note of despair, not one cry of failure, no sense of defeat in the strife, no uncertainty as to the issue. Rather, there is a deep consciousness of triumph, a calm confidence of victory, a divine assurance of glory. Father and Holy Ghost are on the side of the Son; the battle of God is won. The Lord of all took His place at table "knowing that the Father had given all things into His hands—now is the Son of Man glorified and God is glorified in Him—let not your heart be troubled—the Father shall give you another Paraclete who shall abide with you for ever—He shall teach you all things—the prince of the world is already judged—they have hated Me without cause, but when the Paraclete is come He shall witness concerning Me—He shall convict the world of (its)



sin, and of (My) justness, and of (Satan's) judgment—your sorrow shall be turned into joy—have courage, I have overcome the world—Father, I have accomplished the work Thou gavest Me to do.”

Every word of the divine speaker has been divinely fulfilled. At Pentecost the promised Paraclete came with “a noise from heaven as of the rushing of a mighty wind”; the infant Church was baptized and filled with the Holy Spirit, and henceforth unto the end of time this Spirit of God in the Church of God was to *witness concerning Christ*. The majesty of the Witness is infinite: He is a divine Person, of divine origin, *who proceedeth from the Father* from all eternity. The authority of the Witness is supreme: He is the *Spirit of truth*, who knoweth all truth, who speaketh all truth. The place of His witness is the one true Church whereon He came and wherein He abideth for ever. His voice is not heard in the congregation of confusion and contradiction, which speaketh not as one having authority. In tones most solemn it was heard on Pentecost Day preaching boldly the resurrection of Christ. It was heard at Jerusalem A.D. 49, proclaiming what—as St. Peter said—“hath seemed good to the Holy Spirit and to ourselves”; at Nicæa in 325 defining the fullness of the Godhead in Christ; at Constantinople in 381 expounding the perfection of His manhood; at Ephesus, again, in 431, announcing the unity of person in Christ and that Mary was Mother of God; in 451, at Chalcedon, witnessing to the duality of the natures in Christ. And so, as the centuries passed, the solemn witness of the Spirit of truth was heard at Florence and Trent and in Rome; and never have the gates of hell prevailed against the Church upon the rock, planned by the Father, built by the Son, and hallowed by the Holy Ghost.

But conciliar decisions are rare, and the Spirit bore witness far more than once in a century—yea, even from day to day. It was the Spirit who spoke when the followers of Christ were led before governors and kings for a witness unto them: “in that hour it is not ye that speak, but the Spirit who speaketh in you.” He too inspired their preaching: “filled with the Holy Spirit” Peter spoke, Stephen spoke, Paul spoke, and all the apostles, winning thousands to faith in Christ Jesus. Indeed, every page of the Acts of the Apostles is eloquent of the ministry and manifestations of the Spirit of God. Nor can we forget those “diversities of graces” enumerated by St. Paul: “the word of wisdom, the word of knowledge, the grace of healing, the working of miracles, prophecy and interpretation. All these things one and the same Spirit worketh, dividing to everyone according as He will.”

Mark that gift of *miracles*. The miracles of the first Pentecost were but the first of many “signs and wonders” wrought “in the power of the Spirit” in confirmation of the gospel of Christ, and continued now in our own day; and the mightiest miracle



of all is the Church herself, One, Holy, Catholic, infallible and indestructible. Add, furthermore, the witness of her martyrs for the sake of Christ, of her countless confessors of the faith of Christ, of her doctors enlightened in the teaching of Christ, of a host of virgins for the love of Christ, of a Church triumphant in the sanctity of Christ; for these are but manifestations of the indwelling Spirit of Christ, and all bear witness to the might of His grace, to the power of His sacraments, to the sublimity of His doctrine, to the holiness of His counsels, to the justness of His precepts, even as our own poor lives bear witness to His infinite mercy and compassion. Truly, "the Spirit of the Lord hath filled the whole world."

*Whit Sunday.*

There has surely been a moment of grace in our lives when we have realized, vividly perhaps and with a thrill of joy, that God's love for us is something older and greater than all the suns that shine in the firmament of heaven, that "He hath loved us with an everlasting love," that "He singled us out before the foundation of the world" and "predestined us to be adopted as His sons" (Eph. i. 4), "and if sons, heirs also: heirs of God, and joint-heirs with Christ." So vital a truth, once taken to heart, alters our whole outlook upon life: our gaze is Godwards, our joy is in the Lord, our heart is where our treasure lies. And the Holy Ghost, whom the Father hath sent in Christ's name to teach us all things and to abide with us for ever, "is the earnest of our inheritance" (Eph. i. 14). He dwelleth in us and "beareth witness with our spirit that we are the sons of God."

So secure is now our possession of the truth, so full our assurance of access to God, that perhaps we forget that Jews and not gentiles were one time the favoured of God, that the cause of our own election to sonship lies deep in the mystery of the mercy of God, that we—like the Ephesians (ii. 12)—were once "Christless, alienated from the commonwealth of Israel and strangers to the covenants, without hope and without God in the world." "The seasons of the gentiles" were yet to come. The favours of God were the privileges of Israelites: theirs, primarily, was "the adoption" of sons, theirs was "the glory" of the Lord dwelling in tabernacle and Temple, theirs were "the covenants" made with the fathers of old, theirs—"the Law" of Sinai, "the sacred liturgy," the solemn "promises" to patriarch and prophet; above all, "from them was the Christ according to the flesh," of the seed of Abraham, of the tribe of Judah, of the house of David, "God blessed for ever" (Romans ix. 4-5). Truly, it was then the season of the acceptance of Israel.

Yet never for a moment were we gentiles forgotten of God. That love, far older than Abraham, which had singled us out in the ages of eternity, kept piercing the darkness and shadow



of death wherein we sat. Ever and anon a prophet proclaimed : "all flesh shall see the salvation of God"; "in Him the gentiles shall hope." And when in the fullness of time God sent His Son, the call of the gentile Magi to meet Him was one more gracious proof of "the eternal purpose" of our God. So, too, when Symeon received the Saviour into his arms, he proclaimed Him "a light of revelation unto the gentiles" no less than "of glory for the people of Israel." Our Lord's own personal mission indeed was to "the sheep of the house of Israel." But did He not say : "other sheep I have, that are not from this fold; them also must I bring, and there shall be one flock, one shepherd"; and, "Many shall come from east and west and shall feast with Abraham in the kingdom of the heavens"; "go ye, therefore; make disciples of all the nations"? Of us He was mindful when He healed the servant of the heathen centurion and the daughter of the Canaanite woman, and when He remained two days with the hostile Samaritans. Clearly His mercies were for all men. He lived for all; "He died for all."

What the prophets had foretold, what Jesus had taught, that also did Peter teach in his first discourse on the day of Pentecost. "Repent," he said to the Jews, "and be baptized, and ye shall receive the gift of the Holy Spirit. For to you is the promise and to your children"—but he added—"and to all that are afar, even to as many as the Lord our God shall call to Himself."

Though the Paraclete at Pentecost came upon the whole of the then Christian body, yet let us remember that this infant Church was Jewish in every member, from Mary and the apostles to the least of its sons and daughters; that for nigh a decade of years the preaching of the Twelve was confined to Palestine, the scene of Our Lord's own ministry; that only in the light of a vision at Joppa (Acts x.) did even Peter perceive that the house of a gentile must no longer be deemed defiled or unclean; and that a second Pentecost, "the Pentecost of the gentiles," was required to remove the last barriers of Judaism and to throw the doors of the Church fully and freely open to gentile converts. Hence, two days after the vision at Joppa, Peter, with six Jewish brethren, without any misgiving entered the house of the gentile Cornelius at Caesarea, and there befell that second Pentecost, that crowning revelation and sanction of the Holy Spirit which marked the opening of "the seasons of the gentiles." The episode is thus briefly recorded in the Lesson of to-morrow's Mass (Acts x. 34, 42-48): "Peter, opening his mouth said :<sup>1</sup> 'Men, brethren, the Lord Jesus commanded us to preach first to the chosen people of Israel, and to testify that He it is who hath been appointed by God judge of the living and the dead. To Him all the prophets bear witness, testifying that through His name everyone, Jew and gentile alike, that believeth in Him is to receive forgiveness of sins.'

<sup>1</sup> With some verbal additions here to clarify the text.



While Peter was yet speaking, the Holy Spirit fell upon all that were listening. And the faithful of the circumcision, the Jewish Christians who had come with Peter, were amazed, because that on the gentiles also the gift of the Holy Spirit had been poured out; for they heard them speaking in tongues and magnifying God. Then Peter said: 'Can anyone withhold the water, that these should not be baptized, who have received the Holy Spirit even as ourselves?' And he commanded that they should be baptized in the name of Jesus Christ."

With St. Paul we say: "Blessed be the God and Father of Our Lord Jesus Christ, who hath blessed us with every blessing, singled us out before the foundation of the world, and in love predestined us to be adopted as His sons" (Eph. i. 3-5). One more grace we ask—the grace to walk worthy of the vocation in which we are called.

### *Trinity Sunday.*

To-day's Epistle is the cry of a soul overwhelmed by the floods of mystery. *O the depths of the riches of the wisdom and of the knowledge of God! How inscrutable are His judgments and how untraceable His ways!* What was it that compelled St. Paul to sound this "note of baffled wonder and prostrate homage"? He had been contemplating "the deep things of God," the divine plan of the world's redemption, "the mystery hidden from eternity in God" but at last, in outline at least, "made known to him by revelation," "the eternal purpose which the Creator had brought to pass in Christ Jesus our Lord." He beheld "the appointed seasons" of grace of the whole human race; first, the divine selection of the people of Israel, the acceptance of the Jew and the apparent rejection of the gentile; then, the contrary—"the seasons of the gentiles," their merciful election to grace and the just rejection of Israel; and lastly, in the ages to come, when "the full number of the gentiles be gathered in," the final return of the chosen children of Abraham to the Lord their God. And the inspired apostle had laboured to reconcile the blinding attributes of God, but was forced to end with that cry of wonder and homage which forms to-day's Epistle.

And may not we ourselves well utter that same cry of "baffled wonder and prostrate homage" when contemplating, this Feast of *Corpus Christi*, our own *mysterium fidei*—the Holy Eucharist? Omniscience alone could have known that the wonders of transubstantiation were even possible; omnipotence alone could make those wonders actual; an infinite love alone could resolve that the gift of God should be ours. These are the attributes divine that make the Eucharist the divinest boon of heaven. When the hour of bestowal was come, Jesus "having loved His own who were in the world, loved them unto the end," i.e., to the uttermost; and when infinite Love loves to the uttermost, we are face to face not with the incredible, but the incalculable.



It was written: "They shall call His name Emmanuel, God with us." "And He as a bridegroom coming from His bridal chamber, hath exulted as a giant to run his course"; and scaling the barriers, "leaping upon the mountains," He gathers in His guests from the streets and the lanes, the highways and the hedges, "that His house may be filled" and all His desires accomplished.

Would you measure the three giant strides of God in His eagerness to reach His people, to visit them, dwell with them, and share with them? The first leap was from heaven to earth: "for while all things were in quiet silence and the night was in the midst of her course, Thine almighty Word leapt down from heaven from Thy royal throne" (Wis. xviii. 14) and "the Word was made flesh and dwelt amongst us." For thirty years He dwelt in one small corner of the earth, and one small nation saw Him, heard Him, received Him not, crucified and buried Him.

But love like His will take no denial. He rose from the dead, and a second bound brought Him from the shores of Palestine into every country of the world, into every Catholic church and chapel. "Behold the tabernacle of God with men"—ten thousand tabernacles!—"and He shall dwell with them; they shall be His peoples, and God Himself shall be with them" (Apoc. xxi. 3). Every people became a "chosen people."

Nor yet was this enough. Ourselves would never have dared to ask for more. But "charity faileth never." Love like His dareth all things, "hopeth all things," "seeketh not her own" "cometh not to be ministered unto but to minister." His coming was "that men may have life and have it abundantly." So from His myriad tabernacles He issues again, as the bridegroom from His chamber, to enter uncounted millions of souls, to espouse uncounted millions of hearts; not that Love hath need of us but that we have need of God. How unutterably and abysmally vast must be our needs when He who knows human nature so well, knew that nothing less than His infinite Self would adequately meet our requirements!

Do you still hesitate to approach? "Fear not; it is I," who have loved you "unto the end." "O thou of little faith, why dost thou doubt?"

And what can it all mean? Where it is all to end? In the eternal Communion of heaven. Only God's end justifies God's means. "In My Father's house there are many mansions"—room not only for Me, but for those who are one with Me. "I go to prepare a place for you. I am coming again, and I will take you to Myself, that where I am, you also may be." "O the depths of the riches of the wisdom and of the knowledge of God! To Him be the glory for ever, amen."



*Second Sunday after Pentecost.*

When Jesus spoke the parable of "the Great Supper," He was making His last journey to Jerusalem, and with divine condescension had gone to be the guest of one of the leading Pharisees, whose other guests were far from friendly to Jesus. Indeed, the thought now uppermost in Our Lord's mind and expressed repeatedly on His lips was that He, "the Desired of nations," was become the rejected of Israel, and Israel in turn the rejected of God.

As He took His place at table His fellow-guests "were watching Him" with their unfriendly eyes. And He on mercy bent was watching *them*, "marking how they chose the first seats at the table"; and at once came a lesson on humility, counselling the choice of the last place, and the host perhaps would bid them "come up higher." Then to the host himself He spoke of the charity that "seeketh not her own": "when thou givest a supper, call not thy kinsmen or rich neighbours, but invite the poor, the crippled, the lame and the blind; and blessed shalt thou be at the resurrection of the just." Thereupon one of the guests exclaimed: "Blessed is he that shall feast in the kingdom of God"—partake of the promised Redemption!

This was the saying that prompted the parable of the Great Supper, the figure of the messianic feast prepared by God, to which Christ Himself had summoned the Jews, and which the chosen people, blind to their blessedness, were now so lightly refusing. For them first, as the privileged guests of God, the feast had been prepared; but when all things were ready, their priests and scribes and rulers and leaders began at once to make excuse. They were minding not the things that are above but the things that are on earth. Hence the call passed on "into the streets and lanes of the city" and brought in "the poor and the feeble and the blind and the lame"; and so did the publicans and harlots, the weak and despised, come into the Kingdom of God before the priests and elders. And still there was room. Then the Lord bade His servants go forth from the chosen city into the far-reaching highways and hedges and *compel* men to enter that His house might be filled; and thus the gentiles received and accepted the call which the Jews had rejected. We pause at the word *compel*; it is a strong word but the word of the Lord, signifying in the application of the parable the power and abundance and predestined victory of grace.

Holy Church, in appointing this parable to be the Gospel of the Sunday within the octave of Corpus Christi, directs our thoughts to another Great Supper—the banquet of the Eucharist, "the Lord's Supper" (I Cor. xi. 20), a banquet of blessings indeed, the richest part of that same messianic feast rejected by the Jews whose places we are called to fill.

The first thought and the pertinent question for us to-day is: shall we in turn decline the call of Our Lord on the same in-



adequate pleas urged of old by the Jews—"I must needs do this," "I go to do that," "really I cannot come"? Doubtless the pleas in the parable were not without weight; nor is God unaware of the troubles and cares that beset us. But Our Lord is insistent that the call of God must often be answered at the cost of much self-sacrifice, and this because it is God who calls and our need of Him is greater than our need of earthly things. He who is love itself, the charity that "seeketh not her own," said to His host: "when thou givest a supper call not thy kinsmen or rich neighbours, but invite the poor and the feeble and the blind and the lame." And such are we all in the spiritual life, and therefore the charity of God would gather us in. The purpose of the Eucharist is to nourish us and strengthen us, to heal us and to quicken us. "Come unto Me all ye that labour and are burdened."

Our second thought: the intended guests who declined the Great Supper forfeited for ever the favour of their host. The Jews who rejected Christ were themselves rejected and lost unrealized blessings. This only we know—that had they been faithful to the call of God, had they recognized their God-given opportunities, they were destined to play a far different rôle in the New Covenant. Jerusalem, not Rome, might well have become the centre of the Church and the fruitful mother of her saints. As it was, these things were hidden from them in punishment of perversity. "If thou hadst known," exclaimed Our Lord as He wept over the faithless and doomed city, "if thou hadst known the things that are for thy peace! But now they are hidden from thine eyes." Hidden, too, from us is the fullness of our loss in declining the Bread of heaven. "Unless ye eat, ye have not life." "He that eateth hath everlasting life. He shall live for ever." If we could but explain "life everlasting" we should understand everything—we should know God! But we do not realize, we cannot estimate our loss of one degree of life in Him, still less the loss of all. But something we may guess from this: the grandest schemes of God were laid in view of life everlasting. The Incarnation, the Passion of Christ, the Church, the Sacraments, the Priesthood and the Mass, all are for the sake of this greatest of gifts—life everlasting. And "he that eateth My flesh and drinketh My blood *hath* everlasting life; and I will raise him up on the last day."

*Sunday within the Octave of the Feast of the Sacred Heart.*

Text: "I also have a heart as well as you" (Job xii. 3).

To-day we place these words of Job upon the lips of God where they bear a new yet a true and far deeper significance. One purpose of God in the Incarnation was Self-revelation, to bring Himself nearer to men and let them see what kind of a person He was and so make worship easier. Bethlehem, Nazareth, Cana, Naim, Capernaum, Bethany, and Calvary are



manifestations of God more moving and compelling than the thunders and lightnings of Sinai. It is now possible to worship God even by compassion, for He has a heart as well as we, and it loved and suffered like ours.

Many have raised their voices against our devotion to the Sacred Heart. "Look," they say, "the heart you worship is a human heart, a man's heart, a thing created, a feeble heart that felt pain and knew fear and shrank dismayed from death. Why then *adore* it? One only must we adore—the divine Being, the uncreated, eternal, strong, immutable God."

All this is true—as far as it goes; but it is not all the truth—it goes less than half way. The Sacred Heart of God-made-man is indeed a human heart, the heart of the "Son of Man," of a babe conceived in Mary's womb. It quailed and trembled, was touched with sympathy and moved to pity, it looked and longed for human love, it could grieve and could be gladdened. Joy thrilled it, pain pierced it, fear gripped it, coldness stabbed it, sin broke it. Such a heart was human indeed. But it was not human only—it was also divine, being the heart of One who was not only man but also truly God. For the heart of Our Lord was human in substance and composition, human in its action and function, tenderly human in its feelings and affections, but divine in belonging to a divine person, in being the heart of God the Son. It was and is still God's own heart.

These last words take us back to the hour of the Incarnation. "When the fullness of time came, God sent His Son," and the second Person of the adorable Trinity leapt down to earth and took to Himself—into union with His divine nature and into union with His divine Person—another nature, a human nature, a truly human body and a truly human soul: and appropriating this new nature for Himself, He made it—in the language of the Fathers—His very own. Or let us put it in this wise: He who was truly God, God the Son, possessing from all eternity the divine nature, took and united to His divine Person a human nature, so that one and the same Person who before had but one nature now came to possess two, one divine—the other human, one infinite—the other finite, one eternal—the other not so, one immutable—the other subject to fatigue and suffering and death, yet both as truly His own as our one nature is ours. And this human nature which God the Son espoused, which He wedded as it were to His own Person, He never divorced—never put away. Once taken up, once assumed, He never laid it aside. In it He was born into this world, in it He dwelt amongst us, in it He suffered, died, and rose again; and when He ascended into heaven He bore His human nature with Him. It is still His own in heaven and will remain His for all eternity. As God the Son shall never cease to be God, so shall He never cease to be man. Now and for ever God can say in all truth, "I also have a heart as well as you."

This, then, is the reason why we adore, worship with supreme



worship, the Sacred Heart of Jesus; because it is more than the heart of the noblest of men—it is the heart of God, the heart of a divine Person, for ever inseparably united to the Divinity and to the second Person of the adorable Trinity. We do not adore a heart of flesh cut away from the living Humanity; we do not adore a human heart divorced from the Person of Christ. No, we honour Our Lord, the living God, in and with and through His Sacred Heart. We honour *Him*, that Person in God who appeals to us all as the loving-hearted, noble-hearted, big-hearted, broken-hearted Saviour of the world.

Likewise we may honour and adore, if we will, the feet that sought us, the hands that blessed us, the shoulders that were scourged, the head that was crowned, the face that was buffeted and bruised; for all are God's, all are divine, all make their own appeal. But the greatest appeal is the heart's appeal as the seat of love, the theatre of joy, the sanctuary of sorrow. It was when we saw God's love at its flood, overflowing the heart of Jesus Christ, pouring itself forth in loving words and loving acts, and sweeping away our unworthy doubts—it was then that we realized as never before how real was the love and solicitude of God for suffering humanity.

And as heart to heart appeals for love, so for sympathy also. Have we not all experienced how our own hearts have responded to every breath of emotion? They have lightened and brightened and leaped within us at the very approach of joy, and grown heavy and leaden and weary when our joy has been turned into sorrow. It was even so with the Sacred Heart of Jesus. It quickened, expanded, and warmed when it felt the touch of joy, when the little ones gathered around Him, when the Magdalene wept at His feet, when He found so great a faith in the humble centurion, and heard the glorious confession of Peter. But it slackened, contracted, and chilled when sorrow seized Him, when disciples withdrew and walked no more with Him, when at sight of the city so favoured, so faithless, He wept over it, when He heard the shameful denials of Peter, and received the kiss of the traitor; above all when prostrate in agony He suffered the sins of the world to break like a tempest upon Him and lash without mercy a heart as human as our own. In that hour of anguish "His sweat became as drops of blood falling down to the ground."

Does this not call for compassion—for *our* compassion? We too were with Him in the garden. He saw us there. He knew us—our whole life. As He knelt and prayed we dealt Him blow upon blow. We lashed Him there with our coldness, ingratitude, sin upon sin—mortal and venial. And He turned to each one of us, sorrowing, and said, "Friend, for this are you come! I also have a heart as well as you." And if we repented, He saw that repentance too, "and there appeared to Him an angel from heaven to strengthen Him."



## NOTES ON RECENT WORK

### I. MORAL THEOLOGY.

BY THE REV. E. J. MAHONEY, D.D.

The writer of this column is often asked to recommend the best modern manual of Moral Theology, having in mind the needs of the average priest—a difficult question to answer, as all the manuals are so very much alike. It is usually best to choose a modern edition of the manual a priest used as a student at the Seminary: Noldin, Tanquerey, Marc, or whatever it may be. If the questioner is not satisfied with this answer, the reason may be that his professor in the past took pleasure in pointing out the defects of the manual—still a common practice. They have all got defects, but some less than others. Or it may be that he wants something completely new, not merely brought up to date by a later hand; in this case one would recommend Merkelbach or Wouters. Therefore, with all the reserves due to the circumstances and the particular needs of the individual, the personal preference of the writer is for Prümmer, and this is the manual always recommended. It may be that one's judgment is slightly influenced by the *pietas* due to an old professor, but Prümmer is rarely found wanting in anything essential. The principles are solidly Thomistic, the cases are practical and modern, the author is a canonist as well as a theologian, and the work is well printed and produced. The dates of the current edition are Volume I, 1931 (seventh edition); Volume II, 1933; Volume III, 1933.<sup>1</sup> But it is also as well to warn the prospective buyer of an entirely new manual that Fr. H. Davis, S.J., is about to publish one in English. This four-volume *Moral and Pastoral Theology* is promised by Sheed and Ward for May, and it is bound to be a most valuable addition to the literature on the subject.

The modern practice of some theologians is to publish treatises on individual points, if they have something new to say, and two recent works on particular problems arising in the administration of the Sacrament of Penance are worthy of notice. Fr. Ter Haar, C.S.S.R., writes on the occasions of sin,<sup>2</sup> adapting the usual principles to some modern problems such as the cinema and wireless. Fr. Thomas V. Gerster a Zeil explains very concisely the law regarding material and formal integrity in confession.<sup>3</sup>

The Notre Dame Conferences have become world famous and have been imitated in various cities during Lent. At Fribourg

<sup>1</sup> Dominic M. Prümmer, O.P., *Manuale Theologiae Moralis*, Vol. I, 510 pages, 9 M.; Vol. II, 576 pages, 9 M.; Vol. III, 910 pages, 9 M. Herder.

<sup>2</sup> *Casus Conscientiae de praecipuis huius aetatis peccandi occasionibus*, Marietti, 1934. 184 pages.

<sup>3</sup> *De Integritate Confessionis*, Marietti. 115 pages.



(Switzerland) the custom has been in possession for many years, in the fine old church of St. Nicholas, and we welcome the appearance in print of the conferences on Marriage given last year by Fr. Benoit Lavaud, O.P., a professor at the University.<sup>4</sup> Included in the volume are some earlier conferences given at Geneva, and the whole book provides an excellent account of the subject with a view to meeting modern problems and difficulties. We have, for example, a demonstration of the power of the Church as a kind of breakwater against the assaults made upon the institution of marriage by anti-Christian and immoral theorizations. Unhappily they are more than theorizations. Birth Control, Abortion, and Sterilization are likely to work still greater havoc in the world, and the extent of the peril is sufficient reason, if any were needed, for speaking about such unsavoury things from the pulpit of a Catholic church. The text of these admirable conferences, which are necessarily of a more or less popular character, and with all the limitations of the spoken word, is supplemented with footnotes proving more scientifically the statements made, thus making the work of value for the professional theologian as well as for the general public.

Fr. Lavaud's short account of the Sterile Period mentions, amongst other books, the work of a fellow Dominican, Fr. Mayrand, O.P.<sup>5</sup> The subject has been dealt with so often in these notes, and elsewhere in this journal, that no useful purpose will be served in outlining Fr. Mayrand's conclusions. In substance they are those of Fr. Vermeersch, S.J., as recorded on page 354 of the April number of this REVIEW. The collection of citations from other authors, supporting his conclusions, are very useful, and the writer is more concerned with the moral aspect of the problem than with medical details and computations which are the business of a competent physician.

*Youth and Chastity*, by Mgr. Toth,<sup>6</sup> is another example of the type of book, giving instruction to the young, which has in no way been condemned by the Holy See. The necessity of some books of this kind arises because parents, as a rule, will not undertake this work, and it is obviously essential that youth should think correctly on so important a subject. Dr. Toth's work can be recommended for this purpose, in spite of the fact that it has no *imprimatur*, and contains one or two statements, probably due to the difficulty of translation from the German, which are hardly true. He says, in one place, that the sin of self-abuse can scarcely be cured; yet in other places he instructs and exhorts the reader in a way that shows he believes it can be cured. The chapter on "consent," in dealing with the question of nocturnal disturbance, is very well

<sup>4</sup> *Le Monde Moderne et le Mariage Chrétien*. Paris. 1935. Desclée de Brouwer. 437 pages.

<sup>5</sup> *Un problème moral: La continence périodique dans le mariage suivant la méthode Ogino*. Couvent S. Dominique, Coublevie, par Voiron (Isère).

<sup>6</sup> Garden City Press. 238 pages. \$1.



done, and should help in clearing away much doubt and scrupulosity. He demonstrates, throughout, with adequate quotations from medical authorities, that continence in a youth is the surest protection of perfect physical health.

In the House of Commons, on March 25th, during the course of a debate on the Health Services, Abortion and Birth Control were discussed. Sir Arnold Wilson asserted that probably the main cause of the increase in maternal mortality, during the past few years, is puerperal sepsis consequent upon unskilled abortion. It is evident that the demand for more maternal hospital accommodation will not solve the problem which, at present, is a domiciliary one, and one speaker recorded his experience, which is probably that of many priests working in crowded industrial areas, that a family will spend £50 on a funeral and 50/- on a confinement. Dr. O'Donovan, with his accustomed opportuneness, made a valuable contribution to the debate. He uttered a warning against the danger of discussing maternal mortality intemperately in public. What is said by toughened men and women politicians is published in the Press and read by nervous pregnant women. If there is too much and too morbid discussion in public assemblies of the inescapable risks of pregnancy, there will be a widespread increase of anti-conception practices. Miss Rathbone, after calling attention to our low birth-rate, almost the lowest in the world, lower even than France, advocated a system of family allowances such as has been adopted in several Continental countries. This appears to have been the first time that Birth Control has been debated in the House of Commons.

The pagan idea of marriage, with which our modern society is becoming affected, is likely to result in an increased number of invalid marriages, owing to intentions and conditions which are contrary to the substance of the contract. *Vis et Metus*, especially *metus reverentialis*, is easily the commonest ground alleged when a marriage is accused in our ecclesiastical courts. It is closely followed by the intention *contra bonum sacramenti* and *contra bonum prolis*. The fine series of volumes issued by the Rota, "Decisiones seu Sententiae," are now available up to the year 1924,<sup>7</sup> and a German canonist has made an extremely useful collection of extracts from these judgments.<sup>8</sup> He selects the commonest *capita*, usually alleged in petitioning for decrees of nullity, and prints those portions of the sentence which throw light on many intricate legal points. We are thus given, in a few pages, an analysis of the practice of the Rota in recent years, and the little work cannot fail to be of great use. One of the latest theses from Washington elucidates the very tangled question of "conditions" in the marriage contract.<sup>9</sup> In both works the distinction between "obligatio" and

<sup>7</sup> *S. Romanae Rotae Decisiones seu Sententiae*, 16 volumes. Vatican Press.

<sup>8</sup> Johannes Hollnsteiner, *Die Spruchpraxis der S. Romana Rota in Ehenichtigkeitprozessen*. Herder, Fribourg. 1934. 164 pages. 3.40 M.

<sup>9</sup> B. T. Timmin, O.F.M., *Conditional Matrimonial Consent*. 381 pages.



"adimplementum obligationis" is very much to the fore, for example, with regard to the primary purpose of marriage. It is absolutely clear that the intention of excluding children, if it is to invalidate the contract, must exclude *the right* to actions fitted by their nature for procreation; the intention merely to abuse the obligations of marriage is insufficient.

From the office of the Roman Canonical journal *Apollinaris* has appeared the first volume of what will be a very practical series: *Consultationes Juris Canonici*. It consists of over a hundred discussions of difficult points of interpretation, arising either from the Code or from current documents, arranged according to the order of the Books of the Code. Thus, under Book III, *De Rebus*, three questions are concerned with the Holy Eucharist, each of them quite practical and rarely found in the ordinary manual: *De lege confessionis prae-mittendae celebrationi Missae*; *De adstantibus ad Missas nocte Nativitatis Domini celebratas in religiosa seu pia domo*; *De celebratione Missarum in anticipatum suffragium*. The questions are resolved by such well-known canonists as Cicognani, Maroto and Roberti. Except for the convenience of having them together in one cover, subscribers to the journal *Apollinaris* will not need the volume—it is a reprint of what has already appeared in the journal. It would be a distinct convenience to know the exact date when each solution first appeared. From the same publishers we have a very opportune collection of the text of the Concordats at present in force between the Holy See and various governments. It includes not only recent documents, of which there are a large number, but older ones as far back as 1828, provided they are still in force. The text is copiously explained, with historical and legal notes, by Dr. Angelus Perugini. The only English document is that relating to the election of bishops in Malta, consisting of a Note from the Cardinal Secretary of State, Cardinal Rampolla, to General Simmons, and the General's reply, both dated March, 1890.

Many writers on Canon Law are, quite properly, concerned with a practical treatment of the subject, having in mind the difficulties of the parish priest. *Ready Answers in Canon Law* is a book of this type.<sup>10</sup> It is a summary of the Code, alphabetically arranged, with an additional index for quickly locating particular subjects, and it includes moral and liturgical questions. Of particular utility are the samples of *formulae* to be employed in writing for dispensations or other favours. If it is true that certain abuses are due entirely to unfamiliarity with the law, and the difficulty of finding out what the law is, a book of this type should go a long way to providing the remedy. Topics such as the Sterile Period and Sterilization might appear to be rather out of place in a manual of this kind, but it is the author's purpose to omit nothing that may be of practical value to the clergy.

<sup>10</sup> *Ready Answers in Canon Law*, by Dr. P. J. Lydon. Benziger Bros. 1934. 532 pages.



Dr. P. J. Dignan's study of ecclesiastical church property in the United States is a very welcome type of book.<sup>11</sup> It is a good example of American scholarship, and makes one regret that we have nothing quite like it with regard to our position in England. The recurring difficulty for the Church everywhere is to secure laws which may be accommodated to the hierarchical principle. In the United States of America the difficulty is increased, since the laws of different States have to be taken into account; in many States there are no laws suitable to the discipline of the Catholic Church. The author has made considerable use of Dr. Guilday's work on the Councils of Baltimore, and also has the advantage of consulting some of the Washington canonical theses, many of which are admirable. His purpose is to expound the existing law, canonical and civil, by exploring the historical situation, and, as far as a "foreigner" can form a judgment on the subject, his work is well and thoroughly done. The account of the Trustee System of holding church property, which led to most lamentable lay interference with ecclesiastical jurisdiction, will be read with unusual interest. In the last chapter we are given a brief indication of the legislative acts of various States with regard to the incorporation of church property.

As far as the present writer has been able to discover, the text of the papers read at the *International Juristic Congress* in Rome last November have not yet been published. The allocutions given by the Holy Father and other officials are printed in *Apollinaris*, 1934, n. 4, and n. 3 is devoted to the Schemata of each contribution to the discussion. Amongst these are one or two which will interest us in England when the text is available. Dr. Wohlhaupter of Munich discoursed on the influence of Canon Law in the evolution of English Equity Law, and Dr. E. F. Jacob of Oxford on the study of Canon Law in that University during the fifteenth century.

Probably the most comprehensive account of Cardinal Gasparri and his work is that given in *La Documentation Catholique* of March 16th, 1935, which contains biographical notes, pontifical documents addressed to the Cardinal, a discussion of his work as a theologian and canonist, and lastly an estimate of his influence as a great ecclesiastic and diplomat. The information is drawn from various printed accounts, chiefly periodicals, which appeared on the Cardinal's death.

## II. HOLY SCRIPTURE.

BY THE VERY REV. JOHN M. T. BARTON, D.D., Lic.S.Script.

The suggestion that there might be, according to exact reckoning, a fifth canonical Gospel is not a new one. It was discussed with all his usual thoroughness and impartiality by Père J.-M. Vosté, O.P., a Consultor of the Biblical Commission,

<sup>11</sup> *A History of the Legal Incorporation of Catholic Church Property in the United States*, by Rev. P. J. Dignan, Ph.D. Kenedy & Sons, New York. 1935.



in the Dominican periodical *Angelicum*, some five years ago.<sup>1</sup> The question then debated was whether the Greek translation of the original Aramaic St. Matthew should be judged to be directly and immediately inspired (in which case it would have every claim to be reckoned as a fifth Gospel). The result of Père Vosté's examination of the question was that, in spite of certain arguments that appeared to tell in favour of the Greek Matthew's immediate inspiration, a negative answer must be given to the query: "Is there a fifth canonical Gospel?" The opinion favouring the direct and immediate inspiration of the Greek Matthew, while, at first sight, it makes for safety, is in reality treacherous and misleading. When pushed to its logical conclusion it would seem to endanger the apostolic origin of our first Gospel in its present (translated) form and its identity with the primitive Aramaic work of St. Matthew the Apostle.

Since the end of January last the question has been raised again, though in quite a different form. The announcement in *The Times* of January 22nd regarding the discovery of fragments of a Gospel narrative which appeared to have no direct relation with any of the canonical four, resulted in a somewhat fitful and inconsequent correspondence. Dr. Alfred Guillaume, formerly professor of Oriental languages at Durham, called attention to "two features of quite extraordinary interest"—the use of the title "Master (*didaskale*) Jesus," which would suggest that Our Lord was addressed by friend and foe alike as "Rabbi Jesus"; and the fact that Our Lord takes to Himself the words: "This people honoureth Me with their lips," words spoken by Isaias in the name of Israel's God, and thereby shows that He Himself is God.<sup>2</sup> "Such a reinforcement of Catholic tradition," concluded Dr. Guillaume, "from a Gospel which in some respects is demonstrably more primitive than anything we have hitherto possessed, deserves as much notice in the pulpit as in the study." Five days later,<sup>3</sup> Dr. Vernon Bartlet rightly pointed out that the only respect in which the new text was "demonstrably more primitive" was in the date of the material on which it was written and that it would be well to suspend judgment regarding its ultimate value, since it might well prove to be an artificial reconstruction of existing material.

Now, within a very short time of the original announcement, comes a handsome and astonishingly cheap edition of the texts in *Fragments of an Unknown Gospel and other early Christian Papyri*, edited by Mr. H. Idris Bell, the Keeper of the MSS. in the British Museum, and his assistant, Mr. T. C. Skeat.<sup>4</sup> It must be insisted at once that this is not intended by the editors to be a definitive edition. It is, on the contrary, "the aim of the present volume . . . to make the texts accessible to scholars

<sup>1</sup> *Angelicum*, January, 1930, pp. 57-60.

<sup>2</sup> Letter dated January 23rd, 1935.

<sup>3</sup> Letter dated January 28th.

<sup>4</sup> London, the British Museum, 1935. pp. x.+63, with five plates. Price 4s. net.



and to indicate the nature of the problems which arise, with such suggestions towards a solution as occurred to us" (p. v.). Actually, this modest disclaimer might disguise the great competence with which the editing has been carried out. In respect of the most important item of contents, the Gospel fragments (let the term be used without prejudice to any future decision of ecclesiastical authority), the editors have contributed an introduction, mainly concerned with the abbreviations used and the method of publication; a diplomatic transcript and, in a parallel column, a transcript, line for line, supplying accents and breathings and the more obvious restorations of lacunae; a commentary on the text; the Greek text in modern form with a translation, and with parallels in both Greek and English from the canonical Gospels; and, lastly, a twelve-page discussion of the character of the new discovery and its relation to the "selected four."

In the opinion of the editors, the first of the three fragments, which is also the one most patient of a critical interpretation, can only very doubtfully be identified with any of the known uncanonical Gospels; there is rather strong evidence that it represents a source independent of the Synoptics; but "its relation to John is such as to suggest for serious consideration the question whether it may be, or derive from, a source used by that Gospel" (p. 38). In my judgment, which is worth very little indeed in such a matter, the weakness of this conclusion lies in the difficulty of excluding the ascription of the fragment to a non-canonical source, whether known or hitherto unknown.<sup>5</sup> The absence of any heretical doctrine or of "that obvious embroidering and sensational exaggeration of traditional matter so characteristic of the apocryphal writer" (p. 30) would be more impressive if the fragments were not so small. Meanwhile the subject is now open to discussion and we may be sure that the book will be pounced upon by the whole tribe of palaeographers, textual critics, students of cabbalism and gematria, and other experts in *minutiae*. At least, whatever the ultimate verdict may be, no one of these later investigators will be able to deny that the evidence has been set out in such a way as to be at the disposal of all. The other fragments (a Gospel commentary, a passage from II Paralipomenon and a leaf from a liturgical book) are, of course, less important.

To most students of the Bible the name of Père E.-B. Allo, O.P., is inseparably connected with one work of consummate erudition, his commentary on *Saint Jean: L'Apocalypse* which appeared in a third edition in 1933.<sup>6</sup> He has written other works—for example, his more popular work *Le Scandale de*

<sup>5</sup> In *La Vie Intellectuelle*, March 10th, Père F.-M. Braun, O.P., considers that this fragment suggests an affinity with the apocryphal Gospel according to the Hebrews (p. 223).

<sup>6</sup> Gabalda, Paris. pp. ccxciv. + 400. Price 100 francs. See *CLERGY REVIEW*, Vol. V., p. 314.



*Jésus*<sup>7</sup> is one of the best numbers in that excellent series "La Vie Chrétienne." But none of these has the character and the qualities of his commentary on the Apocalypse. It is, then, with great satisfaction that one welcomes his new commentary on *Saint Paul: Première Epître aux Corinthiens*,<sup>8</sup> more particularly because the author give us every reason for thinking that he has in preparation a companion volume on II Corinthians. Those who have been brought up to believe, and who in their turn have tried to bring up others in the same persuasion, that Cornely was the foremost Catholic interpreter of I Corinthians, will turn with some apprehension to Père Allo's estimate of his great predecessor. Their apprehensions will prove to be groundless. This is the verdict. "Très approfondi et très sûr, mettant au point beaucoup d'opinions anciennes. Certaines nuances de la pensée de Paul peuvent cependant lui échapper, et il y a lieu naturellement d'y ajouter depuis le développement récent des études historiques et hellénistiques" (p. c.). In other words, the one criticism may be said to explain the other, for the language of St. Paul, which must inevitably remain the key to his thought, is far more perfectly understood at the present day than it was when Cornely published his commentary in 1890.<sup>9</sup>

The commentary follows the lines to which the volume on the Apocalypse has accustomed us. There is in the first place an introduction, long but not too long in view of the importance of the subject, dealing with the Church of Corinth and its evangelization; the circumstances of writing; an analysis of the epistle; the language and style of the work; its authenticity, unity, place and date; its text; and, finally, the existing commentaries from the early Fathers down to the present day. In his estimate of the place of First Corinthians among the Pauline epistles, Père Allo reminds us that no other epistle of St. Paul deals with so many different subjects and permits of our appreciating under so many aspects the author's character. It is also the most clearly conceived and executed and, in consequence, the easiest to read. Further, "On n'y voit pas de juxtaposition de matières hétérogènes, de dualité comme dans l'Épître aux Romains (à partir du chap. xii.) et dans plusieurs autres, ou de changements subits de points de vue et de préoccupations, comme dans la II<sup>e</sup> aux Corinthiens" (p. lxxv.). So the demonstration of its unity and integrity is made peculiarly simple. The commentary itself, though a finished piece of work from every point of view, lays great stress upon philology; certain passages that call for lengthy discussion are considered in a series of eighteen valuable excursions. To take only one of many points, the difficult verse (I Cor. xv. 29) regarding baptism for the dead is interpreted as pointing to a custom (at one time prevalent?) of receiving baptism

<sup>7</sup> Bernard Grasset, Paris. 1927. pp. 276. Price 12 francs.

<sup>8</sup> Gabalda, Paris. 1935. pp. cxii+515. Price 100 francs.

<sup>9</sup> An interesting biographical note on the late P. Rudolf Cornely, S.J., is to be found in Pirot's *Supplément au Dictionnaire de la Bible*, t. ii., coll. 153-156.



with the thought in the minds of the catechumens of sharing, in some manner, the grace of the rite with those members of their families who had died without baptism but who were unlikely, in the judgment of the living, to be damned. "Cette dernière explication est parfaitement compatible avec le catholicisme, et on comprendrait alors que Paul eût invoqué cet usage sans un mot de blâme" (p 414). One may draw special attention to the excursuses on the Eucharist (Nos. X-XII) and on the fact of the Resurrection in St. Paul (Exc. XVII-XVIII). In the exposition of I Cor. xv. 51 it is almost unnecessary to add that Père Allo would agree with the Westminster Version in rendering the operative clause: "... We shall not fall asleep, but we shall all be changed."

The most recent addition to the *Westminster Commentaries*, a series under Anglican editorship which has no connection with the version just mentioned, is *The General Epistles of St. Peter and St. Jude*, edited by Dr. J. W. C. Wand, now Anglican Archbishop of Brisbane.<sup>10</sup> This series as a whole has, as was pointed out some years ago by the late Dr. A. S. Peake,<sup>11</sup> the great disadvantage of being dear by comparison with other Protestant works of the same semi-popular kind, e.g., the *Cambridge Bible for Schools* and the *Century Bible*. In the present instance, the price is exceedingly high for a volume of less than two hundred and fifty pages, though some saving in paper has been obtained (at the expense, be it said, of the reader's comfort and good temper!) by printing the commentary, though not the texts or excursuses, in double columns of small type. In the article already referred to, Dr. Peake also stressed the unequal value for exegetical purposes of the volumes in this series. Some of them (e.g., Driver's *Genesis* and Rawlinson's *St. Mark*) are strong numbers; others (e.g., Gibson's *Job*) have been much less important. I cannot help feeling that the present issue is one of the less successful volumes. In all three departments (introduction, commentary and excursuses) there is a suggestion of scrappiness and of a fairly widespread neglect of some of the relevant literature.

As is too often the case in such works, Catholic exegesis has received the minimum of attention.<sup>12</sup> The discussion of Our Lord's Descent into Hell would have been considerably strengthened by a study of the article by the Abbé Chaine, professor of New Testament exegesis in the Catholic faculty of Lyons, in Pirot's *Supplément au Dictionnaire de la Bible*.<sup>13</sup> A second edition will also benefit, in respect of the excursus on the Agape, by a consideration of Père Allo's learned and judicious weighing of the issue in his commentary on I Corinthians, Excursus X,

<sup>10</sup> Methuen, London. 1934. pp. x.+234. Price 15s.

<sup>11</sup> *Expository Times*, Vol. XXXIX., p. 246.

<sup>12</sup> It is, however, noteworthy that Batiffol and Leclercq are cited apropos of the Agape.

<sup>13</sup> Art. "Descente du Christ aux Enfers," t. II. coll. 395-431.



pp. 285-293. It is surely high time that the great value of Catholic exegetical work should be more perfectly recognized by our Protestant friends in some quarters. The position is that, whereas we regularly use and profit by their works, they often take very little trouble to be adequately informed regarding our studies. The distinction that appears to be made in Dr. Wand's commentary, apropos of the Descent into Hell, between "Roman Catholic belief" and "critical scholars" (p. 111) is one among many indications of this tendency. It is, one is glad to feel, a happy augury for the future that, in September of this year, Catholic and Protestant scholars from England will meet Catholic and Protestant scholars in Germany for a "Tagung der alttestamentlichen Forscher" at Göttingen.

Not very much need be said regarding the new edition of Dr. G. W. Wade's *Old Testament History*.<sup>14</sup> The author himself enumerates clearly the changes that have been made in this issue. "The substitution, in places, of smaller type, and the compression of a few of the more familiar (and less historical) narratives, have made it possible to expand the *Introduction*, to increase the number of appendices, to amend various errors and to make good some defects, whilst reducing the size of the volume" (p. ix.). The work that has been of most value to him has been Oesterley and Robinson's two volume *History of Israel*.<sup>15</sup>

Drs. Oesterley and Robinson have now produced *An Introduction to the Books of the Old Testament*.<sup>16</sup> It is described as "the third work in which we have joined in happy collaboration." The guiding idea has been to achieve something less elaborate than the late Professor Driver's well-known book and less sketchy than the introductions of Gray and McFadyen. The result is a book which, while it cannot claim to present as many-sided a treatment as that of Professor Driver, is sufficiently full for all ordinary purposes and is not, like Driver's, overweighted at its Pentateuchal end. Whereas Driver devoted more than a quarter of his volume to Hexateuchal study, the authors of the present volume give rather more than a sixth of their space to the same topic. They have the further advantage of writing more vividly and thus of being better equipped for interesting the student who, if truth were to be told, would admit that some of the larger introductions make desperately heavy going. As one who was privileged to hear Professor Robinson's excellent survey of Hebrew metrical forms at the January meeting of the Society for Old Testament Study, I can testify that he has communicated some of his contagious enthusiasm to the pages of the present book. Needless to say, it advocates many positions that a Catholic exegete would be, to say the least, unwilling to adopt. Catholic works are quoted in the bibliography (which does not

<sup>14</sup> Methuen, London. 12th Edition, revised and partly re-written, 1934. pp. xv. + 507. Price 10s. 6d.

<sup>15</sup> See CLERGY REVIEW, Vol. V., pp. 153-155.

<sup>16</sup> Society for Promoting Christian Knowledge, London. 1934. pp. xvi. + 454. Price 10s. 6d.



claim to be in any sense complete) but there are some rather startling omissions. Van Hoonacker's *Les douze petits prophètes* should certainly have been mentioned, and one or other of the writers should have been acquainted with the late Mgr. Nikel's *Grundriss der Einleitung in das Alte Testament*, with Dr. Paul Heinisch's *Das Buch Genesis* and *Das Buch Exodus* (though it is just possible that the latter may not have appeared in time) and with some, at least, of the volumes in the *Exegetisches Handbuch zum Alten Testament*.<sup>17</sup>

P. Guiseppe Bonaccorsi, M.S.C., has been well advised to re-publish his selections from the Greek New Testament with introduction and notes. It is called *Primi Saggi di Filologia Neotestamentaria*,<sup>18</sup> and the present volume contains a long philological introduction as well as a number of passages from the Gospels and Acts. The author seems to suspect that the work will not be suitable for a tyro, and, indeed, the notes are altogether too full and too learned to be appreciated by one who has not made some progress in Greek. For those, however, who have passed the beginner's stage, it will prove an invaluable aid. It is difficult to imagine anything better calculated to deepen a student's knowledge of the language than a thorough study of the chapters and notes provided. The passages that are commented are Matthew v. 1-vii. 29; xiii. 24-30 and 36-43; xviii. 23-35; xx. 1-16; xxv. 1-13. Mark vi. 32-44; x. 46-52; xii. 1-12 and 13-17. Luke ii. 1-20; v. 1-11; x. 25-37; xiv. 16-24; xv. 1-10 and 11-32; xvi. 19-31; xviii. 9-14. John iv. 1-42; ix. 1-41; x. 1-16; xv. 1-xvi. 4. Acts x. 1-48; xiv. 8-20; xv. 1-33; xvii. 15-34; xix. 23-40; xxv. 13-xxvi. 32; xxvii. 1-xxviii. 16. One may regret the absence of the prologue of St. John's Gospel, which, containing as it does such a wealth of ideas, is eminently suited for the closest scrutiny.

The second volume of Dom Guiseppe Ricciotti's *Storia d'Israele* has now appeared,<sup>19</sup> and it has all the good qualities of the first volume which was welcomed very cordially by reviewers.<sup>20</sup> Perhaps the most interesting comment was that of the *Revue Biblique*, a periodical never lavish of unmerited praise: "Ceux qui, malgré l'œuvre de M. Ricciotti en Italie, continueront d'ignorer l'histoire d'Israël ne pourront du moins plus invoquer comme prétexte l'absence d'un très bon livre sur ce sujet."<sup>21</sup> The author explains that, in the interval between the publication of the volumes, he received a grant from the Minister of National Education in the Fascist government, which enabled him to

<sup>17</sup> Aschendorff, Münster i W., 1913 ff.

<sup>18</sup> Letture scelte dal Nuovo Testamento Greco con Introduzione e Commento. Volume I., Introduzione—Vangeli—Atti degli Apostoli. Società Editrice Internazionale, Torino. 1933. pp. clxvii.+640. Price L.25.

<sup>19</sup> II. Dall'Esilio al 135 dopo Christo: con 220 illustrazioni e 7 cartine geografiche. Società Editrice Internazionale, Torino. 1934. pp. 570. Price L.30.

<sup>20</sup> See CLERGY REVIEW, Vol. VII., p. 430.

<sup>21</sup> *Revue Biblique*, 1933. p. 298.



visit Egypt, Palestine and Syria for the purpose of controlling his sources of information. He has certainly made good use of his visit and many of the photographs that so agreeably illustrate this excellent book were taken with his own camera. This is a work that should assuredly be translated. We have no History of Israel in English by a Catholic writer that can compare with Dom Ricciotti's for interest and accuracy.

The *Manuel d'Etudes Bibliques* by the Abbés Lusseau and Collomb is now almost complete.<sup>23</sup> Since its first appearance at the beginning of 1931, the series has been submitted to a good deal of criticism, some of it, no doubt, deserved. It has been said that the erudition is not conspicuous, that the authors are insufficiently experienced and, the most common objection, that they are altogether too cautious in their judgments. It is pleasanter to dwell upon the courage and resolution that have prompted the venture and upon the large measure of success that has attended it. One thing is certain—that a student who has made full use of this volume on the prophets will know very much more about them and their writings than one who has had to rely upon notes taken in class. And that, in itself, is ample justification for the experiment.<sup>23</sup>

In conclusion, one may mention two works that cannot fail to please their fortunate owners. The first is *The Layman's New Testament*, by Fr. Hugh Pope, O.P., now issued at a slightly increased price in a revised and enlarged edition.<sup>24</sup> It has already proved a best seller of its kind; it will, no doubt, be even more successful in its enlarged form. An index of nearly fifty pages makes reference to the text and notes exceptionally easy. The second book is *The Word Incarnate: A Harmony of the Gospels*, by His Grace Archbishop Goodier, S.J.<sup>25</sup> The method of presentation is that followed in *The Crown of Sorrow* and other works by the Archbishop, viz., the whole text of the evangelists is set out in full, though not, in cases of complementary narratives, in parallel columns; then follows a harmony of the passages in which the separate accounts are blended into one continuous narrative. The writer's hope that "it may help many in prayer and meditation" is certain to be justified. The book will form an indispensable companion to the volumes on *The Public Life* and *The Passion and Death of Our Lord Jesus Christ*.

<sup>23</sup> Tome III, 2me Partie: Les livres prophetiques. Pierre Téqui, Paris. 1934. pp. 569. Price 30 francs.

<sup>24</sup> So the Abbé Chaine in his review of Tome II in *Revue Thomiste*, March-April, 1935, pp. 96-99, concludes his criticism with the words: "A côté de déficiences regrettables le volume présente des qualités qui ont valu à leurs auteurs des encouragements et des éloges précieux."

<sup>25</sup> Sheed & Ward. 1934. pp. xii. + 931. Price 3s. 6d.

<sup>26</sup> Burns Oates & Washbourne. 1934. pp. xvii + 370. Price 5s.



## QUESTIONS AND ANSWERS

### SHOULD THE INSANE RECEIVE VIATICUM?

Supposing always, of course, that no irreverence to the Holy Eucharist is feared, is an insane person *in periculo mortis* bound to receive viaticum; and if he is not bound, is he permitted to do so?

#### REPLY.

The Roman Ritual directs that such people should not communicate, but it draws no distinction between the hour of death and other times: "Amentibus, praeterea, seu phreneticis communicare non licet; licebit tamen, si quando habeant lucida intervalla, et devotionem ostendant, dum in eo statu manent, si nullum indignitatis periculum adsit."<sup>1</sup> This regulation is a positive law of the Church and has nothing to do with the fact that the insane have no intention of receiving Holy Communion and no devotion in doing so; in the early ages of the Church it was the custom to communicate baptized infants before they came to the use of reason. "Proinde Ecclesia amentem in casu declaravit sacrae communionis incapacem jure ecclesiastico extra mortis periculum, ita ut si sacra communio praeberetur, minister graviter peccaret, licet amens gratiae augmentum per se reciperet. In mortis periculo auctores passim, cum D Thoma, III, q. 80, art. 9, docent, posse et debere amenti in casu sacram communionem praeberi, dummodo, ut supra dictum est, nullum adsit irreverentiae periculum et amens ante amentiam pie religioseque vixerit aut confessionem sacramentalem peregerit. E contrario regula Ritualis videtur absoluta, non distinguens inter communionem simplicem et viaticum."<sup>2</sup> Gasparri proceeds to give the two interpretations of the law, as observed in practice by chaplains in mental hospitals: some follow the authors and give Viaticum to the insane who, at some time or other in their lives, implicitly desired it; others follow the Ritual and refuse viaticum. Pending any authoritative decision on the matter, the Cardinal declines to condemn either practice. We may, therefore, conclude that, in the uncertain state of the law, there is no obligation for the insane to receive viaticum and, consequently, no strict obligation for the priest to administer it.

Is the priest permitted to communicate them? We must distinguish between those who have been insane since birth and those who have had lucid intervals of reason, during which times they could have conceived a desire for the sacrament. The first category are to be considered as infants who have never come to the use of reason, and the present discipline of the Church forbids them to communicate even *in periculo mortis*. But the second category may be communicated, not *extra*

<sup>1</sup> Tit. IV, cap. i, n. 10.

<sup>2</sup> Gasparri, *De Eucharistia*, II, §1124



*mortis periculum*, because of the clear prohibition of the Roman Ritual, but only in *periculo mortis* which is not clearly forbidden in the Ritual. This interpretation is supported by the great authority of St. Thomas, *loc. cit.*: "aliqui dicuntur non habere usum rationis dupliciter: uno modo, quia habent debilem usum rationis; sicut dicitur non videns, qui male videt: et quia tales possunt aliquam devotionem huius sacramenti concipere, non est eis hoc sacramentum denegandum: alio modo dicuntur aliqui non habere totaliter usum rationis: aut igitur nunquam habuerunt usum rationis, sed sic a nativitate permanserunt; et sic talibus non est hoc sacramentum exhibendum, quia in eis nullo modo praecessit huius sacramenti devotio: aut non semper caruerunt usu rationis; et tunc, si prius, quando erant compotes suae mentis, apparuit in eis devotio huius sacramenti, debet eis in articulo mortis hoc sacramentum exhiberi: nisi forte timeatur periculum vomitus, vel expuitionis." Also there is the teaching of the Roman Catechism<sup>3</sup>: "If, however, before they became insane, they evinced a pious and religious disposition of mind, it will be lawful, according to a decree of the Council of Carthage, to administer the Eucharist to them at the close of life."

E. J. M.

## THE CHURCH AT HOME AND ABROAD ROME.

BY THE REV. RICHARD L. SMITH, Ph.D., M.A.

The last stages of the Canonization process are at last being reached. Even in this, which is considered here to be a rushed process, one is struck by the traditional deliberation of the Church. After all the consultations of the historical section of the Congregation of Rites, after their final report, after the two plenary sessions in the presence of the Holy Father and after the reading of the consequent decrees, we still had to wait for the Consistories, private, public and semi-public.

Of the first I can say nothing, since only the Cardinals took any part in it. The Pope's allocution was published afterwards, and so is common knowledge. The Holy Father spoke once again of the benefits which he is confident will accrue to the Church from the Canonization of John Fisher and Thomas More. They battled against odds seemingly overwhelming, their labour appeared to be in vain. And yet it was not so, nor will it ever be so with such labour in God's cause, and therein lies the lesson for all of us in these terrible times. Moreover, he prayed that their vindication in the face of the world might call forth the graces of Divine Providence in a special manner upon their beloved country, securing for England not only a large measure of spiritual benefits but also a return to material prosperity.

<sup>3</sup> Part II, c. iv, Q. 62, Donovan's Translation.



The public Consistory was an imposing ceremony, held in the Hall of Beatifications, which lies above the portico of Saint Peter's for its entire length. The Pope, wearing cope and mitre, was carried in on the *sedia gestatoria*, with the *flabelli* flanking his chair in the procession, and then his throne after he was seated. All the Papal Court were in gala uniforms and the diplomatic body attended in full dress. The actual Consistory was—be it confessed—a very dull affair. The Dean of the Consistorial Advocates read a paper on the history and character of the two *Beati* in magnificent rolling Latin, ending on his knees with a prayer to the Holy Father to proceed to their Canonization. But though there was a microphone in front of him, he paid it less than no attention, using his voice with all the *verve* of an orator, now loud as thunder, now so soft that the Pope in front of him could barely hear. As a result, no one in the body of the hall caught a word of what he was saying, and a restless rustle formed the continuous accompaniment of his whole speech, as if a man were standing on the shore and apostrophizing a gently breaking sea. The Secretary of Briefs answered him in the Pope's name that as this was a serious matter, the Holy Father desired to know the mind of the whole Episcopate therein, for which purpose he would summon yet another Consistory. Then followed the Apostolic Blessing and the Pope was carried out again.

If this was very dull, because no one could follow what was being said, I personally was privileged to assist at a scene which will remain a wonderful memory as long as I live. I trust I may be pardoned for telling it. I had stood with the Postulator, Padre Agostino della Vergine, in the background on the Pope's right. After the procession had formed and was going out of the hall, we indulged in a mild exhibition of gate-crashing and followed Archbishop Hinsley's tall figure through the Sala Ducale into the room where the Cardinals were assembled, while the Holy Father was unvesting. Monsignor Caccia Dominioni and Monsignor Respighi noticed us, and so, when the Pope had taken leave of the Cardinals, there were we planted in his path, determined to thank him once again for all his goodness to us and for all his interest in this cause. He took the Archbishop's hands in his, as we tried to say what was in our hearts. The Cardinals pressed round us in a circle, adding their thanks to the Pope and their congratulations to us. Then the Holy Father put his arms about Monsignor Hinsley's neck and embraced him: for us there was a special, smiling blessing: and so he passed on to his private apartments, and we stood up with that exhaustive feeling which follows such a moment, and tried to reply coherently to the Cardinals, who were still bent on showing their gracious pleasure—nay delight—at this further step towards the consummation of all our hopes.

The third Consistory is fixed for May 9th. Meanwhile we are pressing on with the preparations for the great ceremony



in Saint Peter's. The life of the two new Saints which is distributed to the Pope, to the Cardinals, and to all the other personages after the Canonization, is being written, and will be printed both in Italian and in English. Naturally, it is not an original work: all that can be said about these great figures of English and Catholic history has been said by such scholars as Father Bridgett, Professor Chambers and Doctor Hitchcock. But it is hoped that the Italian edition will arouse deep devotion to Fisher and More out here, where people know only the general lines of their lives, characters and martyrdom: and, in England, where all this has long been part of our heritage and our tradition, the book will nevertheless be a souvenir of the vindication which this Canonization affords to two heroes, who battled that the Faith might not perish in their own country.

The standards are also being painted. These number five. Outside, over the main entrance to the Basilica, will be a representation of the Saints in glory, standing hand in hand, with the Bishop pointing upwards to God and the layman beckoning to us all to follow. Inside Saint Peter's, hanging from the *loggie* nearest the apse will be scenes from their martyrdom: that moment when the sun shone on the face of Blessed John Fisher, and the tired, worn-out man whispered: *Accedite ad eum et illuminamini et facies vestrae non confundentur*; and the scene when Blessed Thomas More knelt down and said his favourite prayer, the psalm *Miserere*, before he laid his head on the block. Finally, two banners will be carried in the procession, one dedicated to each of the new Saints. The Bishop will be seen in glory in his episcopal vestments, and on the other side the building of Christ's College at Cambridge with Blessed John explaining the plans to the Lady Margaret, thus indicating the leading part he took in education, which he knew to be the best remedy against heresy and misrepresentation. On the second banner Blessed Thomas will be seen also in glory, and on the reverse the touching incident when he left Chelsea for the last time and would not allow his family to come any further than the wicket gate. This is intended to summarize the Christian rôle he played as husband and father, and the great sacrifice he made of all he loved best in the world for the sake of the love of God. I do not know that these banners will meet with unqualified approval from the English pilgrims, who will come, as we hope, in their thousands to assist at the Canonization. Italian artists are so steeped in the traditions of the Renaissance that it may seem strange to our Gothic eyes to see Fisher and More among cherubs and clouds. Nevertheless, some, at least, of the banners are extremely fine works, especially that of Blessed John Fisher in glory and the other of him upon the scaffold. It is remarkable how much more easily these artists catch the Bishop's likeness than that of Sir Thomas More. I can think of several reasons for this, but they are pure surmise, and I will not put them down here.



As I write, the Conference between England, France and Italy is being held at Stresa. In his Consistorial allocution on April 4th, the Holy Father spoke very gravely indeed about the European situation. War, he said, was surely unthinkable, and yet one heard rumours of it on every side, armaments were being piled up week by week, and we seemed to be drifting nearer and nearer to the edge of the precipice. If there were any men who aimed at war, who schemed for it and prepared for it, then the Holy Father could only turn in anguish of heart to God and cry: *Dissipa gentes quae bella volunt*—scatter them, O Lord, lest they combine and destroy us! It is clear from the words of this allocution that war in modern conditions can very seldom be justified. There is rumour of an encyclical on peace, to be issued at Easter. So far, I have been unable to secure any confirmation of the report: but if it should prove true, we may look forward to some very definite guidance on this burning question, which belongs to the sphere of ethics and moral theology.

But the clouds are lowering. Only a few months ago, things looked brighter than they had done for years. The Franco-Italian rapprochement was widened by the London consultations, and one saw prospects of a really concerted effort to secure peace. Then came the bombshell of German re-armament, and now Mr. Eden has chased round the capitals of Europe, and something approaching the war-time alignment is casting its chilling shadow over the continent.

What is it all about? Nobody can say with any certainty. France is nervous of Germany, Germany (so it says) of Russia, Russia of whom? Japan? This last country has a population which increases at the rate of a million per year. They are invading the islands of Oceania, and they now have some scope for expansion in Manchukuo. But is that enough? Then, Germany demands equality with the other Powers in colonial possessions as well as in armed strength. It does not impress me to cry that she has broken the Treaty of Versailles. Germany accepted that Treaty with all its clauses, on condition that the Allied Powers themselves should gradually disarm. They have not done so (with the honourable exception of England): doubtless there were good reasons to prevent the carrying out of their word solemnly given. But the fact remains—their word has not been carried out. Germany, too, finds "good reasons" for increasing her forces in the military strength of Russia, which has been quadrupled in the last few years.

It is useless indulging in recriminations now. The past is past, and we must do our best with the present. But I have not much hope of Stresa, unless it leads to an open and sincere invitation to Germany and Poland to join the Conference, and unless England makes up her mind whether she belongs to Europe or not. We are a disturbing feature to-day, because no one knows whether they can count on us. If our statesmen make a decision, one way or the other, it will at least clarify the situation. We try to mediate and the foreign newspapers



talk about *le oscillazioni della politica inglese*. Either we must take no further interest, or we must cease causing a disturbance by giving hopes of our support, first here and then there, as we think it will best serve the ends of peace. It does nothing of the sort, and the old reputation of *perfidie Albion* is cropping up again. Latins cannot understand our practical genius for disregarding what was done and said six months ago, if it seems to us to block the way of a better solution to-day. Germans cannot understand our capacity for seeing both sides of the question. What poor Poland, the bulwark of Europe's Christian civilization thinks, does not seem to have mattered at all until the last few months. And Russia's mentality is beyond us all. M. Litvinoff has started to talk the old language of diplomacy again, and to toast the King of England.

Every country professes to want peace, while parades of armed men grace every high festival in the great cities of the world. What would happen if Germany invaded Austria without an ultimatum, or Japan attacked Russia, or Russia Poland? These are wild suggestions. But what are the armies for? That is the question which everyone is asking and to which we receive no clear answer. Therein lies the importance of the third point in the Pope's allocution, the triduum for peace at Lourdes. This is indeed an inspiration. Our statesmen seem powerless to prevent this steady drift towards war: God is their only help and ours. Probably they pray earnestly to Him—let us hope so: meanwhile we will add our prayers to theirs, or—at the worst pray for them in their own stead. *Regina Pacis*—it was Pope Benedict's cry—*Ora pro Nobis!*

## REVIEWS FROM ABROAD

The April HOMILETIC AND PASTORAL REVIEW contains a contribution by Mgr. Henry on "The Heartening Preacher," a plea for more emphasis in our preaching upon the peace and joy of the Christian Faith. In "The Children's Mass," Mgr. Belford explains a method of teaching children to follow the Mass which has been extremely successful—nearly two million copies of the descriptive booklet have been sold. It consists essentially in the recitation of prayers based upon those used by the celebrant, and in an instruction largely carried out by means of questions. It is claimed that many adults have been brought back to the practice of their religion by assisting at services conducted on these lines. In "The Beauty of His House," Fr. Martindale, S.J., has some useful hints on instructing the laity in the use of their missals.

In its number for February 25th, LA VIE INTELLECTUELLE celebrates the centenary of Lacordaire's occupation for the first time of the pulpit in Notre-Dame. The actual date was March 8th, 1835, and the events preceding and accompanying the sermon are excellently described by Père H.-D. Noble, O.P., in "Lacordaire et ses premières conférences à Notre-Dame." Extracts are given from the preacher's own memoirs, from the *Univers* and



from a letter written by his mother. In the number for March 10th, there is an interesting development of the "Enquête sur les raisons actuelles de l'incroyance." This time, the field of enquiry is the world of students, and among the various contributions the most informing is the report by M. H. Roumieux, élève à l'Ecole Normale Supérieure. His conclusion is that: "L'ignorance, en effet, des jeunes gens catholiques en matière de religion est singulière; leurs connaissances du Christianisme est toute superficielle et toute formelle" (p 191). This is the gravest danger. The influence of their teachers has been much exaggerated, since "la jeunesse en France" is highly independent and tends to react against the opinions expressed by professors. The part played by reading is determined and the authors—Anatole France, Gide, Proust—who have been, or are, popular, are considered. A sympathetic study of the late Père Roland-Gosselin, O.P., is contributed by Père Weber, O.P., and M. Etienne Gilson supplies a discriminating review of the late Père Laberthonnière's *Études sur Descartes*.

LA VIE SPIRITUELLE for March 1st has, as usual, a very full programme of short articles. Père Robilliard, O.P., has an excellent treatment of "La grâce des noces chrétiennes." M. Gustave Bardy continues his attractive series on "La spiritualité des Pères apostoliques"; in the present number he considers St. Polycarp whose lifework may be summed up in the phrase: "Au Christ seul l'hommage de l'adoration, l'hommage de l'amour sans limites" (p. 260). In "L'abbé Perreyve" M. Jacques Madaule studies the recent volume by the Abbé Peyroux entitled: "L'abbé Perreyve raconté par lui-même." The Lourdes Triduum of Masses is discussed in its theological aspect by Père Garrigou-Lagrange, O.P.

In the NOUVELLE REVUE THEOLOGIQUE for April there is an important article by Père R. Boigelot, S.J., on the Church and Socialism. Both capitalism and socialism are subjected to a searching investigation. The author concludes that it is the duty of Catholics to recover from socialism the elements of Christian truth therein contained, to integrate them in a constructive programme, and to work for the realization of that programme in society. In "Encore Beauraing" Père Lenain, S.J., provides a thirty-page article defending the reality of the Beauraing phenomena against recent criticisms in ETUDES CARMELITAINES and elsewhere. He lays special emphasis upon the conversions that have followed the apparitions. There is a very practical elucidation by the well-known canonist, Père Creusen, S.J., of the recent Instruction issued by the Congregation of the Sacraments on the sacrament of Confirmation.

In the BULLETIN DE LITTÉRATURE ECCLESIASTIQUE published by the Institut Catholique of Toulouse, Père Cavallera, S.J., continues his studies in Tridentine legislation; his subject, this time, is satisfaction. "L'Aurore de l'Histoire dans les pays bibliques" is the title of a very learned and compact study by the Abbé Hennequin, embodying a summary of the recent excavations in Mesopotamia.



In the REVUE THOMISTE for March-April, Père Messaut, O.P., examines and criticizes the opinions of some Catholic authors—Boland-Gosselin, Mgr. Noel, Gilson—apropos of "Le Thomisme et la critique de la connaissance." M. Gustave Thibon contributes a lengthy article on Nietzsche and M. C. Zimara a short essay on "Quelques idées d'Abélard au sujet de l'espérance chrétienne."

THEOLOGIE UND GLAUBE 2. Heft, is, as in an earlier number, greatly preoccupied with present-day Neo-Paganism in Germany. Dr. Herte concludes his articles on "Die Begegnung des Germanentums mit dem Christentum" by proving that Christianity was not imposed by force upon ancient Germany, and that the mission of the Faith was to refine all that was best in pagan morality, in particular the marriage customs. Dr. Reuss considers "Die Religion in Alfred Rosenberg's 'Mythus des 20. Jahrhunderts,'" a work that has done a great deal of harm and that has recently been placed on the Index.

The first article in the March number of RAZON Y FE is a lengthy examination by P. Martinez Gómez, S.J., of a recent work by P. Alonso Getino, O.P., entitled "Del gran número de los que se salvan y de la mitigación de las penas eternas." The author's thesis is set out with abundant citations and the conclusion is that various positions accepted by P. Getino (in particular, the contention that there may be some mitigation of the pains endured in hell in respect of "pecados mortales no perdonados en vida.") are quite inadmissible. A similar verdict is pronounced by P. Lumbreras, O.P., in the Dominican periodical LA CIENCIA TOMISTA for January-April. His article is entitled: "Una doctrina inadmisibile del Infierno." In the same number of LA CIENCIA TOMISTA are articles by P. Domínguez and P. Alonso; the first is on Isaias's prophecies regarding the end of the world; the second on Sacramental Absolution.

GREGORIANUM (Fasc. 2, 1935) contains a number of articles, most of them of a technical character. P. Zeiger's contribution to the Justinian celebrations is entitled "De Juris Canonici ad Ecclesiae naturam habitudine." P. Mueller writes in German on the Immaculate Conception in the tradition of the Greek writers; as usual, a summary in Latin is provided. P. Tromp has been able to draw up a list of St. Robert Bellarmine's *praelectiones* at the Roman College.

DIVUS THOMAS (Piacenza) in the March-April issue prints an article by the Belgian theologian A. Van Hove on the words: "Per quam meruimus auctorem vitae suscipere." The phrase refers, in his judgment, to Our Lady's office of *Mediatrix omnium gratiarum*: "non vero, ut videtur, exprimit doctrinam meriti divinae maternitatis." P. Gaetano Perrella, C.M., contributes a succinct account of the Old Testament belief in a future life.

J. M. T. B.



## CORRESPONDENCE

### ARCHBISHOP HINSLEY.

The Earl of Denbigh and Lord Russell of Killowen write jointly to us:—

The enthronement of our new Archbishop of Westminster prompts us to write this letter which has a two-fold object. (1) Some thirteen years ago was founded the Society of St. Augustine of Canterbury, one of the objects of which is, out of the yearly subscriptions of its members, to relieve the Archbishop of Westminster to some extent of the great financial burden (in rates, repairs and otherwise) of the upkeep of Archbishop's House, and to build up as the Society's income permits, a fund permanently invested for this purpose. To help thus in maintaining the principal centre and rallying point of Catholicism in England is, we conceive, a duty incumbent on all Catholics who can afford to do so. The Society since its formation was able to give most material assistance to our late President, the Cardinal Archbishop. Unfortunately with the lapse of time, many of our members have died, and the supply of new members has not kept pace with the vacancies in our ranks. It has occurred to us that the present is an appropriate and fitting time at which to appeal to our fellow Catholics to enrol themselves as members, so as to ensure that the benefit of the Society's work may be enjoyed by Archbishop Hinsley. In return for the annual subscription (three guineas), the members have certain privileges, set out in the rules: copies of these and any other information as to the Society, can be obtained from the Secretary, Miss Jolley, 37, Norfolk Street, Strand, W.C.2, to whom applications for membership should be sent.

(2) The Society desires to make a further appeal to Catholics to contribute according to their means to a special fund, to be raised and presented to Archbishop Hinsley for a particular purpose:—viz. to enable him to cope with the initial expenses and other heavy commitments, which are unavoidably involved in his accession to the Archiepiscopal See. Donations for this purpose may be sent to "The Society of St. Augustine of Canterbury—Special Fund" either (a) to Lord Russell of Killowen, c/o Miss Jolley, at the address given above; or (b) to the National Bank, Ltd., No. 13, Old Broad Street, E.C.2.

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PERMISSU SUPERIORUM.

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